TWO GREEK RHETORICAL TREATISES FROM THE ROMAN EMPIRE

INTRODUCTION, TEXT, AND TRANSLATION
OF THE ARTS OF RHETORIC
ATTRIBUTED TO
ANONYMOUS SEGUERIANUS AND
TO APSINES OF GADARA

EDITED BY

MERVIN R. DILTS AND GEORGE A. KENNEDY

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ABBREVIATIONS AND BIBLIOGRAPHY

Abbreviations

Ald.: Aldus Manutius' edition of the *Rhetores Graeci.* 2 vols. Venice 1508–9. (*Editio princeps* of Apsines is Vol. II pp. 682–730).

Ba.: John Bakius, ed., *Apsinis et Longini Rhetorica, e Codicibus MSS., adhibita suppelectili Ruhnkeniana.* Oxford: Typographus Academicus 1849.

Fi.: C.E. Finckh, Review of Walz, *Zeitschrift für die Altertumswissenschaft* (1837) 607–18.
—, Review of Bake, *Zeitschrift für die Altertumswissenschaft* (1850) 422–43.
—, *De incerti auctoris artis rhetoricae post Seguerium a Leonardo Spengelio editae locis aliquot emendandis.* Diss. Heilbronn 1854.

Gr.: Johannes Graeven, ed., *Cornuti Artis Rhetoricae Epitome.* Berlin 1891; reprinted Zürich: Weidmann 1973.

Ha.: Hammer; see below Sp.-H.

Ha. (Ph.): Caspar Hammer, "Kritische Versuche zu den griechischen Rhetoren," *Philologus* 34 (1876) 375–80.

Ha. (76): Caspar Hammer, *De Apsine Rhetore.* Programma Guntianum. Munich: Gotteswinter & Moesslii 1876.

K.: C.L. Kayser, ed., *Cornificii Rhetoricorum ad C. Herennium Libri.* Leipzig: Teubner 1854. See also *Jahrbücher für Philologie* 70 (1854) 295ff.; *Münchner Gelehrte Anzeiger* 41 (1855) 1–13.

R-E: *Paulys Real-Encyclopädie der classischen Altertumswissenschaft.*

Seg.: Nicolas Maximilien Sidoine Séguier, Marquis de St. Brisson, *Notice et extraits des manuscrits de la bibliothèque du roi* 14.2, Paris 1843. Also published as a monograph, Paris 1840. (*Editio princeps* of Anonymous Seguerianus.)

Sp.: Leonardus Spengel, ed., *Rhetores Graeci.* 3 volumes. Leipzig, Teubner 1854–55. Cf. also *Jahrbücher für Philologie* 69 (1853) 645.

Sp.-H.: Caspar Hammer, ed., *Rhetores Graeci, Vol. I, ex recognitione Leonardi Spengel.* Leipzig: Teubner 1894.

Wilam.: Emendations attributed to Ulrich von Wilamowitz by his student, Graeven, in his edition of Anonymous Seguerianus.

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INTRODUCTION

The significance of the two works contained in this volume is that they are probably the best surviving representatives of how rhetoric was taught in most Greek schools in the second and third centuries after Christ. They take no account of the restructuring of the subject by Hermogenes in the late second century; his writings do not seem to have been widely influential until the fourth century or later, when they became central works in a new corpus of rhetorical theory that continued to be authoritative through the Byzantine period.[1] Before the victory of Hermogenes, rhetoric as taught in Greek schools seems to have been a development of concepts originating with Aristotle but modified by the system of stasis theory developed by Hermagoras of Temnos in the second century before Christ, by the taxonomy of tropes and figures to which grammarians contributed, and by the increasing role of declamation in the schools. After the creation of the Hermogenic corpus, the treatise of Apsines, and to a lesser extent that of Anonymous Seguerianus, continued to be cited occasionally in writing on rhetoric throughout the Byzantine period. No translations of these works have been published in any modern language and the Greek texts, which date from the nineteenth century, are flawed and not readily available to many scholars. We offer revised texts based on examination of the manuscripts, together with translations, and notes, in the hopes that students of the history of rhetoric may have the basis for a better knowledge of the subject as understood in the Greek-speaking world in the time of the Second Sophistic.

The basis for calling this academic tradition "Aristotelian" is its focus on invention and the use it makes of such Aristotelian concepts as artistic versus inartistic means of persuasion; the division of the artistic means of persuasion into ethos, logos, and pathos; identification of enthymeme and paradeigm as the two forms of logical argument, and consideration of topoi. To this might be added a lack of emphasis on stasis theory in contrast to Hermogenes. Yet neither writer is directly indebted to Aristotle. Anonymous Seguerianus cites Aristotle's *Rhetoric* on two occasions (§§102 and 170), but the first citation is

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[1] See Kennedy, pp. 52–103.

confused and neither citation indicates direct consultation of Aristotle's text. Apsines does not mention Aristotle, but it is not his practice to identify theoretical sources.

The two works here printed together, though belonging to the same general tradition, complement each other in that Anonymous Seguerianus was more interested in theoretical issues than was Apsines and gives considerable information about views of earlier teachers to which he is indebted; his work is the best source we have in Greek for the debates among rhetoricians about rhetorical invention in the early empire and complements what we know from Quintilian in Latin. Apsines, on the other hand, was primarily interested in teaching declamation and in analysis of the rhetorical techniques of Demosthenes or other Attic orators. Modern students of Demosthenes will find in his work some insightful critical comments as well as a terminology to describe features of Demosthenic rhetoric.

Anonymous Seguerianus

The name "Anonymous Seguerianus" derives from the discovery in 1838 by Séguier, Marquis de St. Brison, of a previously unknown treatise on rhetoric in a manuscript in the royal library in Paris. The subsequent history of the text will be discussed below, but it is necessary here to say something about Johann Graeven's edition of 1891. In an extended introduction, Graeven sought to prove that this anonymous treatise is an epitome of a lost work by Cornutus, not the philosopher of that name but a rhetorician of the third century after Christ, slightly older than Apsines, who is mentioned by Syrianus and other writers on rhetoric in late antiquity.[2] The identification of Cornutus as the author was largely dependant on two passages. Section 242 of the anonymous work states, "a colon then is a part of a thought completing another parallel colon." Except for the connective particles, this statement and the example which follows it recur in a passage in a commentary on Hermogenes found in Walz, *Rhetores Graeci* VII p. 931, where a longer discussion of the colon is attributed to Cornutus. Second, the treatment of *amphiboliai* in Anonymous Seguerianus §188 resembles some of what is said by Syrianus

[2] Graeven, pp. xxv–xxxiii.

in Walz IV pp. 298 and 843, where Cornutus' name occurs with those of others who advanced differing versions of stasis theory. Having concluded that the work was an epitome, Graeven proposed many additions and emendations on the basis of parallels in later writings. He also originated the numbering of sections, which we have retained as a convenience in cross-referencing.

Graeven's identification of Cornutus as the author of a work of which Anonymous Seguerianus is an epitome has not been accepted by later scholars as proven, and many of his additions to the text were abandoned by Hammer in his 1894 edition of the Greek text. Indeed, the concept of the work as an epitome of a single earlier text is misleading. The author seems to have been a student who put together, probably for his own use, an account of rhetorical invention and arrangement in which he abstracted the views of certain earlier authorities. He never advances an opinion of his own, as Cornutus certainly would have done. In §179 he refers to another set of notes (*scholika*) he has compiled about epicheiremes. There is no need to postulate any sources others than those he names, nor the existence of lacunae, and if he had used Cornutus it would be consistent with his method to have mentioned him. Similarities in two passages to statements attributed to Cornutus elsewhere, neither central to the anonymous author's primary interests, probably result from Cornutus' use of a common source.

Unlike the treatise attributed to Apsines, the anonymous author's work was not a written version of lectures on rhetoric that he had given to students, and he was probably not himself a teacher of rhetoric. Probably the work was never published, but somehow it survived and was copied. Graeven (pp. x–xxv) identified passages in commentaries on Hermogenes, in Marcellinus, and in some other later writings that seem to reflect knowledge of it, though they could, of course, be directly derived from the anonymous author's sources. The tradition was always a slender one and eventually hung on the single twelfth-century manuscript Séguier found in Paris.

The anonymous author's method was apparently to begin with an abstract of the rhetorical handbook of Alexander, son of Numenius, whom he names nineteen times, then to amplify this from works by Neocles, mentioned twelve times, and Harpocration, who is named four times. In addition, there are two citations of Zeno. On three occasions (§§26, 113, and 124) he mentions "the Apollodoreans," followers of Apollodorus of Pergamum, and follows this with Alexander's

refutation of their views. Apollodorus himself is quoted once (§50). Apollodorus lived in the middle of the first century B.C., taught an especially rigid doctrine of how a speech should be composed, and gained prestige from having been the teacher of rhetoric to Octavius Caesar. According to Quintilian (3.1.18), he wrote only one work on rhetoric and his doctrines were best known from his students, Atticus in Greek and C. Valgius in Latin. In his own time or shortly thereafter he was opposed by Theodorus of Byzantium, also quoted by the anonymous writer in passages derived from Alexander (§§50, 103, and 134), and from these two came the opposing schools of the Apollodoreans and Theodoreans, which continued to have some influence as late as the second century.[3]

Alexander is best known today as the author of an influential work on figures of speech, which survives in an abbreviated form.[4] His father, Numenius, was a Roman official under Hadrian (ruled A.D. 117–138), and Alexander thus probably taught and wrote his *Art of Rhetoric* in the middle of the second century after Christ. It is somewhat odd that the Anonymous so often refers to him with his patronymic, something he does not do with his other sources; possibly this formality indicates special respect, or is intended to differentiate him from other Alexanders, Alexander of Seleucia, for example, a more famous sophist of about the same period.

Harpocration is probably Aelius Harpocration, a rhetorician of the second half of the second century, slightly later than Alexander. According to the entry in the Byzantine encyclopedia *Suda*, he was the author of works on Herodotus, Xenophon, and Hypereides, a treatise on style, and an *Art of Rhetoric*. He also opposed the new view of stasis theory advanced by Hermogenes.[5] He should not be confused with another Harpocration, author of the *Lexicon of the Attic Orators*.

The Zeno who is cited twice (§§48 and 156) is probably Zeno of Athens, a rhetorician of the mid-second century mentioned by Philostratus (*Lives of the Sophists* 607) and a major source for the Latin rhetorical treatise by Sulpitius Victor.

Neocles is the most problematic of the anonymous author's sources.[6]

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[3] For fragments and testimonia, with bibliography, of both schools, see Granatelli; see also Grube, pp. 337–65.

[4] Spengel III pp. 9–40. For more detail on Alexander see *R-E* I coll. 145–59.

[5] For more detail on Harpocration see *R-E* VII coll. 2411–12.

[6] See *R-E* XVI coll. 2416–22.

On the basis of similarities of some doctrines attributed to Neocles by Anonymous Seguerianus to some passages in Quintilian (who does not mention Neocles), Graeven tentatively dated Neocles to the first century after Christ.[7] There is, however, no reason to think these doctrines were original with Neocles, who could, like Quintilian, be drawing on earlier sources without acknowledgment, and it seems more likely that Neocles, like Alexander, Harpocration, and Zeno, was a rhetorician of the middle or second half of the second century after Christ. References to Neocles in §§116 and 125 as in agreement with Alexander and Anonymous Seguerianus' general method of adding material from Neocles to his abstract of the teaching of Alexander suggest that he regarded Neocles' work as later than that of Alexander. There is nothing to indicate the provenience of Alexander, Harpocration, and Neocles; they are not mentioned by other writers of the time. Although Athens was then the most important center of the study of rhetoric, all the Greek cities of Asia had active rhetorical schools and there were also schools in Egypt and elsewhere. Nor is there any evidence where Anonymous Seguerianus lived and wrote. The date of composition can only be said to be later than the writings of Alexander, Neocles, Harpocration, and Zeno, but at a time when they seemed to the author to be the best available sources. A date at the end of the second century or near the beginning of the third seems likely. After that time the debate between Apollodoreans and Theodoreans ceased to be of much interest to rhetoricians.

Graeven, in his running commentary on Anonymous Seguerianus, identified passages where neither Alexander nor Neocles is mentioned but which he thought could be attributed to one or the other, usually to Neocles. There is, however, a stylistic difference, not noticed by Graeven, which may make attribution more precise. In passages specifically attributed to Alexander, rhetorical teaching is regularly couched in the first person plural: "we should do this or that,"[8] or occasionally in the impersonal form, "one should. . . ." There are a number of places, however, where the construction suddenly shifts to the second person singular: "you should do this or that." One such passage is §§41–47, where Neocles' name occurs in §46. Thus, it seems possible that the "you" passages should be attributed to Neocles.

[7] Graeven, pp. xlvii and lxx.
[8] §§32, 34–35, 39, 121, 130, 133, 136, 221.

It also seems clear that all references to Apollodorus, Theodorus, or their followers derive from Alexander. Passages in which the interjection "by Zeus" occurs (§§42, 46, and 210) seem to come from Neocles.

It would doubtless be a mistake to insist rigidly on this differentiation of sources where they are not specified, since the author may not always quote his source literally or that source may occasionally have used a different style. If, however, specific naming of the source, passages parallel to others in which a source is named, and changes from "we" to "you" and the reverse are taken into account, the following use of sources can be conjectured. Passages in which the source is explicitly named are indicated with*.

Alexander	Neocles	Harpocration	Zeno
§§1–3*	4–7	8–9*	
10–13	14–18		
19–40(30*)	41–47(46*)		48*
49*–62*–63	64–78		
79–84	85–88		
89–97	98–100		
101–3		104*	
	105–7		
108–136[9]	137–142		
143–146	147*–149*–154		
155*			156*
	157*–158	159*	
	160*–168		
169*	170*		
171–181? 182–197	198*		
199–200*–209	210–14*		
215–221*–222	*223*–232		
233–243			
		243*–253	

The quotations from Greek literature and the themes of declamation cited by Anonymous Seguerianus are taken from his sources and are not his own choice. Quotations often deviate somewhat from our standard texts, and have been copied from source to source or quoted from memory. Demosthenes is cited 28 times; Homer 5 times;

[9] In §§116 and 125 Alexander *and* Neocles are cited as the source, presumably in agreement; Alexander alone is mentioned in §§121, 129, 133, 135, and 136; the first person plural is used throughout these passages. Cf. note on §116.

Aeschines 4 times; Euripides 3 times; Lysias, Isocrates, and Lycurgus twice; Sophocles, Thucydides, Plato, Hypereides, Menander, Demades, and Demetrius of Phaleron once each (see Index of Authors). Themes of declamation are also occasionally cited but much less frequently than in Apsines' work.

Apsines

The manuscripts of the second rhetorical treatise found in this volume attribute it to Apsines. There were a number of sophists named Apsines in the time of the Roman Empire, but the consensus of scholarly opinion has been that the author is Valerius Apsines of Gadara. What is known about his life is derived from a reference at the end of Philostratus' *Lives of the Sophists*, an entry in the Byzantine encyclopedia, *Suda*, a few references in other late writers, and what can be gathered from the treatise itself.[10] He was born in Gadara in Coele Syria and is variously described as "the Gadarean," "the Phoenician," or "the Athenian," since he eventually taught in Athens. The date of his birth was probably around A.D. 190. According to the *Suda*, he studied rhetoric with Heracleides in Smyrna and then with Basilicus in Nicomedia; the respectful reference to Basilicus in chapter I of the treatise seems to confirm the identification of our author. The *Suda* article also says that when teaching in Athens he was granted the consular *ornamenta* by the emperor Maximinus (A.D. 235–38), which may imply that he held one of the official chairs of rhetoric there.[11] Philostratus' *Lives of the Sophists* is dedicated to Gordian III (reigned A.D. 238–244); in the last lines of the work Philostratus excuses his omission of an account of Apsines on the ground that he is too close a friend, but pays tribute to Apsines' abilities in "memory and accuracy," presumably in declamation. He probably died some time around A.D. 250. An inscription, found in Athens and published in 1941, revealed that his family name was Valerius and that by marriage he had important family connections.[12] It was once believed that he was the father of Onasimus, known from the *Suda*,

[10] For more detail, see *R-E* II coll. 277–83 and Suppl. XIV p. 53.

[11] The *Suda* actually says by Maximian (reigned A.D. 286–310) but on the basis of the reference in Philostratus this must be a mistake.

[12] *Hesperia* 10 (1941) p. 261, no. 65; cf. Avotins, "Prosopographical and Chronological Notes," pp. 72–80.

and grandfather of the third-century sophist Apsines of Sparta, mentioned by Eunapius, but this is now doubted.[13]

A partially preserved discussion of "Figured Problems"[14] is attributed to Apsines, but may not be his work. A reference in 10.5 to a discussion of prosopopoeia elsewhere indicates that he had written a treatise on figures of speech, which is thought to have been a source for the surviving treatise *On the Figures of Demosthenes* by Tiberius.[15] One citation in the scholia to Demosthenes[16] has been thought to indicate that he wrote a commentary on Demosthenes' *Against Leptines*, but the reference could be to some other work. He also published some of his declamations. We know of them from what appear to be interpolations in the text of his *Art of Rhetoric*, identified in the notes to the translation below, and perhaps originating with a student who may have revised the treatise in other ways as well. They include declamations entitled "Hermon" (3.5) and "Lysander" (3.13), one in which a Scythian debates the advisability of abandoning a new city (3.8), and a speech against Meidias (3.28). Apsines probably also regularly declaimed many of the other themes mentioned throughout the work.

The declamations of Apsines were artistic works that presumably aimed at stylistic excellence as understood in the time of the Second Sophistic and observed the standards of Attic Greek as practiced in his time. His rhetorical handbook, however, like that of Anonymous Seguerianus and other technical writing of the period, makes no attempt at literary polish and occasionally uses non-Attic forms. His sentences are often cumbersome or repetitive, and at times even obscure. Some of the obscurity results from the state of our text; in particular, something appears to be lost at the end of chapter 5 (see note in the translation there), and the end of chapter 9 lacks the expected examples.

The references to Apsines' declamations suggest that the text we have was edited by someone at an early point in its transmission, and there are other inconsistencies of terminology and style, suggesting revisions or additions by someone other than Apsines. In chapter 1 the term *theōrēma* is repeatedly used of what others would call

[13] Cf. Millar, "P. Herennius Dexippus," p. 16n.
[14] Text in Spengel-Hammer I pp. 330–39.
[15] Cf. *R-E* VIA coll. 804–7 and Ballaira, pp. xi–xv.
[16] See *Scholia Demosthenica* 20.4.16a, ed. Dilts.

a *topos* but this unusual usage does not recur in subsequent chapters. *Topos* first appears in chapter 5 (twice), once each in chapters 8 and 9, but otherwise seems to be avoided until chapter 10, where it is frequent. In addition, chapter 10 shows more interest in theory than do other chapters. Another difference is the form in which teaching is expressed. In the earlier chapters the author usually casts his teaching in the second person singular, occasionally in the first person plural or in an impersonal construction. In chapter 10, however, the first person plural is consistently used except once (10.25). The incomplete state of the end of chapter 9 suggests that Apsines may never have completed the work and that chapter 10 was added, on the basis of Apsines' oral teaching, by one of his students, who could then also have added the references to Apsines' declamations. The repeated appearances of *allo*, "another," to mark the series of "theorems" in chapter 1 may derive from the same source.

Apsines constantly illustrates rhetorical technique by quotations from or allusions to classical Greek literature (see Index). Quotations from Demosthenes, whom he clearly admired above all other authors, far outnumber others. These include passages from the first and second speeches *Against Aristogeiton* and *Against Boeotes*, showing no awareness that Dionysius of Halicarnassus had rejected these speeches as not authentic works of Demosthenes. After Demosthenes (some 86 references), Aeschines (10 references) is most frequently cited, with a very few quotations from Lysias, Isocrates, Hypereides, and Deinarchus. There are no quotations from or references to Gorgias, Antiphon, Andocides, or Isaeus. Lycurgus and Demades are mentioned but not quoted. Herodotus, Thucydides, Xenophon, and Plato are cited on a few occasions, as is Aelius Aristeides, the only later orator to achieve canonical status in the eyes of rhetoricians. Citations from poets, chiefly found in the chapter on the epilogue, are limited to Homer, Sophocles, and Euripides. None of Apsines' quotations are reliable sources for the texts of the authors he cites. Clearly, he quoted from memory: words are omitted, rearranged, or changed, and sometimes what appears to be a quotation is only a paraphrase. His memory of the *Iliad* seems better than that of the dramatists. The most extreme example of departure from the received text is a passage from Euripides' *Trojan Women* in 10.14, which even includes one line taken from *Andromache*.

Rhetorical technique is also frequently illustrated by citation of themes of declamation. Most of these are traditional and some are

also mentioned by Hermogenes, Philostratus, Sopatros, or other writers on rhetoric. Themes for declamation were traditionally categorized as either fictional, in which the characters are types such as "the rich man" or "the poor man," or historical, in which the speaker is a famous person, such as Themistocles or Demosthenes. But the historical themes are also often fictional in the sense that the imagined occasion of the speech has no historical basis. The declaimer here draws on the character and reputation of a famous person to imagine what he might have said under some difficult circumstance.

As Donald Russell has shown,[17] traditional fictional themes for declamation created an exciting, imaginary world of pirates, ravished maidens, and conflicts between fathers and sons, rich and poor, tyrants and democrats. Sex, violence, and bizarre situations helped to attract young men to rhetorical composition and entertained audiences on the occasions of public declamation. Apsines cites some of the violent themes, but seems to prefer quasi-historical subjects or fictional themes that encourage the student to reason about law, intent, result, or claims of justice. Among the canonical parts of rhetoric, his major interest is in invention and arrangement. Remarks about the prose style appropriate to the separate parts of the oration are, however, often added, including suggestions of figures of speech that may be employed.

Except for the pious reference to his teacher Basilicus at the beginning of the work, and in contrast to the handbook of Anonymous Seguerianus, Apsines does not identify any earlier writers on rhetoric as sources for rhetorical theory. He thus shows what Robert Kaster, speaking of grammarians, has described as "the desire to set one's own stamp on the tradition even as one merges with it."[18] He makes some claims to modest originality. At the beginning of chapters 1 and 3 he briefly summarizes received doctrine on the prooemion and narration, respectively, but then turns to details on which he has something original to say or something he regards as especially useful to the student. Stasis theory, a major interest of many rhetoricians, is mentioned, but does not seem to have been especially important to Apsines: at the beginning of chapter 9 we are told that it has been sufficiently discussed by earlier writers. He apparently had no

[17] *Greek Declamation*, pp. 21–39.

[18] Robert Kaster, *Guardians of Language: The Grammarian and Society in Late Antiquity*. Berkley: University of California Press 1988, p. 168.

interest in the lively controversy between followers of Minucian, Hermogenes, and others about the finer points of determining the question at issue in a speech.[19] Surprisingly, he does not remark on the part of his work that is most unusual in a rhetorical handbook, the chapter on prokatastasis, or preparation for the proof. As the notes will indicate, the term "prokatastasis" appears occasionally elsewhere, and other writers, including Anonymous Seguerianus, give some advice about preparing the audience for the proof that is to follow, but Apsines is unusual in regarding this as a separate part of an oration, following the prooemion and preceding the narration. He, or some unnamed predecessor on whom he draws (Basilicus?), was perhaps led to this view by the presence of such passages in some major speeches by Demosthenes and Aeschines.

Section numbers within the chapters have been added for convenience of cross-reference. The commonest form of reference by scholars is to page numbers in the edition of Spengel and Hammer, which here appear in the margin.

G.A.K.

[19] See Heath, pp. 18–27.

THE TEXTUAL HISTORY OF THE TREATISES

1. *Anonymous Seguerianus*

The treatise entitled τέχνη τοῦ πολιτικοῦ λόγου exists in only one manuscript, codex Parisinus graecus 1874 (*A*, see below, p. xxii and note 3). Anonymous Seguerianus was first edited in 1840 and has been named after its first editor, Séguier, Marquis de St. Brisson.[1] In his edition Séguier succeeded in correcting some errors, but failed to detect many others and made a number of blunders in transcription. Given palaeographic difficulties of *A* such as frequent and sometimes unusual abbreviations as well as suspensions of endings of words and the imperfect preservation of some folios, these failings are reasonable.

In 1854, L. Spengel edited Anonymous Seguerianus and, without consulting *A*, he was able to correct a number of Séguier's blunders and contribute a substantial number of emendations.

In the summer of 1887, Ioannes Graeven prepared a careful collation of *A*. This collation was the basis of his edition of 1891. In this edition Graeven mustered a wealth of testimonia from rhetoricians in an effort to make more credible his theory that Anonymous Seguerianus is a shortened version of a work on rhetoric by a rhetorician of the third century named Cornutus. Although his theory has been discredited,[2] Graeven's edition records readings of *A* more accurately than Séguier did and, in addition to extensive citation of testimonia, it contains a full apparatus of conjectures, including those of Graeven's teacher Ulrich von Wilamowitz.

In 1894, Hammer based his revision of Spengel on Graeven and Séguier, but he did not collate *A*.

In this edition, we have collated *A* from microfilm and in Paris to correct uncertain readings in Graeven and we have reported more selectively than Hammer the radical changes Graeven introduced into the text.

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[1] Instead of the first edition of 1840, we have used the more readily accessible edition in *Notices et extraits des manuscrits de la bibliothèque du roi* 14.2 (Paris 1843) 183–212.

[2] See Fr. Marx's review in *Berliner philologische Wochenschrift*, 12 (1892) 778–83.

2. *Apsines*

a. *Manuscripts*

Apsines's Rhetoric is extant in twenty-one manuscripts, which date from the 10th to the 16th centuries. Only two of these manuscripts are primary: *A*, Paris. gr. 1874, of the twelfth century,[3] and *B*, Paris. gr. 1741, of the tenth century.[4] Of the remaining nineteen manuscripts, nine appear to derive from *B*,[5] since they contain the errors of *B*.

During the last half of the nineteenth century, scholarship on Apsines was largely concerned with the recensions found in *A* and *B*. Since the Aldine and Walz's edition derived from *B* or its apographs, the recension of *A* remained unknown until 1849, when Bake adopted numerous readings of *A* on the basis of a collation prepared for him by Cobet.[6] At that point, it became clear that *B* has striking differences from *A* and, in many cases, these seemed to result from ill-conceived attempts to improve the text.[7] Another defect of *B* is that it derived from its exemplar a long interpolation from Longinus.[8]

[3] Codex *A* contains Anonymous Seguerianus (ff. 120r–127r), Apsines' *De problematis*, Minucianus, Apsines' *Rhetoric* (ff. 130r–145v), and Menander Rhetor. Peculiarities of script include occasional suspension of endings for words such as κρίν(εται), πό(λις), πό(λεις), λύ(σις) and unusual abbreviations such as those for ἔστι, καὶ and the masculine accusative plural; unfortunately Séguier (for Anon. Seg.) and Bake (Cobet) and Hammer (for Apsines) sometimes misunderstood these scribal peculiarities and their work was further impaired where folios in *A* have suffered damage.

See on this manuscript Graeven, *Cornuti Artis Rhetoricae Epitome*; Russell and Wilson, *Menander Rhetor* p. xliii.

[4] In addition to Apsines (ff. 246r–287r), *B* is a major source for a number of rhetorical treatises. See further, Harlfinger and Reinsch; Kassel, pp. 21–25; Lobel, pp. 6–7, 15–19; Rabe, pp. 337–43.

To a greater extent than *A*, scribal peculiarities of *B* were misinterpreted by editors. These include suspension of nominal and verbal endings (ἐπιχείρη(μα), ἐποίη(σε), ζητήμα(τι), κινήσο(μεν) and unusual abbreviations such as those for ἀντιθέσεως, ἔσται, ἔστω, ὁμοίως.

[5] These manuscripts were cited by Bake for his edition of 1849. See below.

[6] Credit for calling Bake's attention to *A* belongs Séguier de St. Brisson's *Dissertation sur le fragment de Longin* Paris 1838.

[7] Note, for example, (chapter) 1.44 συμβουλεύει Δημοσθένης αὐτὴν διορύξαι *A* γράφει ὁ Δ. αὐτὴν δ. *B*, 1.86 ἔπεμψαν . . . Ἀθηναῖοι παρὰ βασιλέα περὶ χρημάτων *A* ἔπ. . . . Ἀθ. π. β. αἰτοῦντες χρήματα *B*, 9.6 ὃ διαγορεύει ὁ νόμος *A* ὃ δ. τὸν νόμον *B*, 10.18 δημηγορῶν ὠφέλει τὸ κοινὸν *A* δῆμον ὁρῶν ὠφ. τ. κ. *B*, 10.21 ἐπιών *A* ἐπεξιών *B*, ἐκ λαμπρᾶς εὐδαιμονίας *A* ἐκ μακρᾶς εὐδαιμονίας *B*.

For further instances of inferior readings of *B*, see below, note 15, and Finckh's review of Bake's edition in *Zeitschrift für die Altertumswissenschaft* 8 (1850) 432–35.

[8] The interpolation occupies about 10 folios in *B* (271v–281r = 9.552.2 καὶ ἡ τῶν πιθανῶν – 579.18 ὡς Σκῦρον Walz). Since the interpolation occurs at mid-point in line 20 of folio 271v in chapter 10.19 between στρατηγούς and συνελόντι, the scribe of

The fact that *A* lacks this interpolation and the fact that *B* has a number of unique errors led Spengel and Hammer to prefer *A* and slight *B*.

b. *Editions*

The Aldine edition was published in two volumes (1508–1509).[9] Although the Aldine derives from *B*, the editor did make a number improvements. Many of these are noted here for the first time.

In 1836 Walz edited Apsines in volume 9 of his *Rhetores Graeci* (pp. 467–596). Walz based his text on the Aldine, with occasional and often inaccurate readings from three manuscripts: *B*, *V* and *W*.[10] His edition was an improvement over the Aldine, but it left much to be desired as can be seen from Finckh's long list of corrections and emendations.[11]

It is not until Bake's edition of 1849 that we have a text of Apsines which approaches modern standards. Bake relied on new collations of nine manuscripts: *O* (collated by Gaisford), *W* (collated by Bast and partly by Bake), *L* (collated by the Bishop of London), *G* (collated by Bakhuzenius Vanderbrink), *A*, *B*, *C*, *V*, and *S* (all collated by Cobet). In addition to a rich selection of readings, Bake proposed a number of good emendations and began to deal with sources and the parallel tradition in his notes. Finckh (see note 7) gave Bake's edition a carping review, but the fact that Spengel relied solely on Bake's apparatus for evidence of manuscript readings attests to its usefulness.

In his edition Spengel adopted readings of *A* to a greater extent than Bake. Moreover he called attention to new textual problems.

B appears to have copied from an exemplar which had a misplaced quire containing Longinus between the quire ending with στρατηγούς and the one beginning with συνελθόντι. For an account of Ruhnken's brilliant discovery of this interpolation in 1765 and its subsequent neglect and rediscovery, see Bake's praefatio, pp. xiii–xxviii. See further, note 280 below.

[9] Rhetores in hoc volvmine habentvr hi. Aphthonii Sophistae Progymnasmata. Hermogeniis Ars rhetorica. Aristotelis Rhetoricorum ad Theodecten libri tres. Eiusdem Rhetorice ad Alexandrum. Eiusdem ars poetica. Sopratri Rhetoris quaestiones de compendis declamationibus in causis praecipuae iudicialibus. Cyrie Sophistae differentiae statuum. Dionysii Alicarnasei Ars rhetorica. Demetrii Phalerei De interpretatione. Alexandri Sophistae De figuris sensus & dictionis. Adnotationes innominati de figuris rhetoricis. Menandri Rhetoris diuisio causarum in genere demonstratiuo. Aristeidis De ciuili oratione. Eiusdem De simplici oratione. Apsini De arte rhetorica praecepta. [Venetiis, 1508–09].

[10] For further information on these manuscripts, see the list of sigla below.

[11] See *Zeitschrift für die Altertumswissenschaft* (1837) 607–18.

Hammer modestly claimed as his major contributions the incorporation of conjectures and emendations made since Spengel's edition and the recollation of *A* and *B*. In the second respect, his work is a great improvement over the collations used by Bake and he completed from *A* omissions in *B* such as the following (underlined) omission at (chapter) 10.55: ἐν τοῖς πάθεσι κατὰ ἀπόστασιν μᾶλλον δεῖ εὖ λέγειν· “θέαμα δεινόν, ὦ γῆ”. ἐν τοῖς πάθεσιν. . . . On the other hand, Hammer's collations were far from exemplary and he failed to notice over two hundred and fifty readings of *A*, including the following (underlined) words omitted in *B* and all previous editions of Apsines: 5.22 ἐνίοτε μέντοι καὶ αἱ ἰσχυρότεραι κατὰ παράλειψιν τίθενται ἐν δευτερολογίᾳ ὅταν ὦσι προειρημέναι; 10.41 ἥρμοσε δὲ καὶ Ἑκάβη τὸν Ἀστυάνακτα τοῦτον πενθοῦσα τὸν τρόπον.[12]

c. *Principles of this edition*

In this edition we have identified corruption in the text transmitted in *A* and *B* to a greater extent than either Spengel or Hammer and we are less inclined than Spengel and Hammer to accept readings of *A* and reject readings of *B*. For example, when Apsines quotes from Demosthenes, *A* sometimes agrees with the text of Demosthenes and *B* at other times.[13] In these cases we tend to adopt the reading which adheres most closely to Demosthenes, unless Apsines abridges or paraphrases Demosthenes.

There are other instances of corruption in both manuscripts, which derive from the archetype or the common ancestor of *A* and *B*. These include cases where the text is incomplete, presumably because of omissions made in an early copy, where we add <***> to the text.[14]

The archetype may have also had marginal notes, which can explain a peculiar feature of the text of Apsines: interpolations of the name Apsines. Since three of these (see below 3, 4, 5) occur in *A* and *B*, two (1, 2) occur only in *A* and one (7) occurs only in *B*, it seems that

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[12] Less striking examples of correct readings in *A* which Hammer failed to notice are to be found in the critical apparatus at (page) 162.14 (cf. 277.6 Sp.H), 170.3 (cf. 281.14), 174.24 (cf. 285.12), 176.19 (cf. 286.15), 186.15 (cf. 293.2, 3), 194.1 (cf. 297.22), 196.10 (cf. 299.18), 202.21, 22 (cf. 304.18), 206.8 (cf. 306.20), 208.15 (cf. 308.15), 210.26 (cf. 310.15), 212.3 (cf. 310.21).

[13] For *A* and Demosthenes, see the critical apparatus at (page) 126.20, 144.17, 152.12, 160.9, 11, and for *B* and Demosthenes see 144.21, 152.13, 154.24–25, 156.5, 158.16.

[14] See chapter 4.5, 5.20, 10.21, 10.38.

1 and 2 were omitted by the scribe of *B* or his source and that 7 was omitted by the scribe of *A* or his source. An additional interpolation of "Apsines" (6) occurs only in *B* and this seems to result from systematic alteration in the text of *B* rather than archetypal variants.

1. 126.1 ὡς [ἐν τῷ Ἕρμωνι Ἀψίνης ἢ πάλιν] ἐν ἐκείνῳ τῷ ζητήματι· del. Ha. | τῷ – τῷ om. *B* (ὁμ.) del. Ba.
2. 126.23 καὶ γὰρ ἐνταῦθα τῷ κατὰ ἀντεξέτασιν [Ἀψίνης] χρηστέον. καὶ – ἐχρήσατο del. Ha. (76) | ἀψίνης om. *B*, del Ba. | ἐχρήσατο *A*, corr. Ba. κέχρηται *B* χρήσεται Ha.
3. 128.24 [ὡς ἐν τῷ Λυσάνδρῳ Ἀψίνης, Λύσανδρος ἀρχὴν ὑποδείξας καλήν].
del. Ba. | Ἀψίνης – καλήν del. Ha. | λύσανδρος – καλήν om. *B*
4. 134.10 [ὡς ἔφη Ἀψίνης ἐν τῷ κατὰ Μειδίου γεγενῆσθαι, ἐπειδή περ ἔμελλεν αὐτὸν ἐγκωμιάσειν].
del. Ba.
5. 136.20 [ὡς ἐν τῷ Λυσάνδρῳ Ἀψίνης ἠθικῶς ἥψατο τῆς διηγήσεως μάλα τὴν πρώτην ἐπαινέσας· ἔνδοξον γὰρ ἦν τὸ πρόσωπον.]
del. Ba. | μάλα – ἐπαινέσας] καταχρηστικῶς δὲ τὴν πρώτην ἐπῄνεσεν *B*
6. 148.5 ἔστι δὲ καὶ παρ' ἡμῖν ὡς ἐν ἐκείνῳ τῷ ζητήματι· (ἔστι – ὡς ἐν] εὕρηται δὲ καὶ παρὰ ἀψίνῃ ἐν *B*) . . . 9 τεθείκαμεν συμπλέξαντες (ἔθηκε συμπλέξας *B*) . . . 21 ἠνέγκαμεν (ἤνεγκε *B*) . . . 22 τοῦτο ἀποκρινώμεθα, δεύτερον δέ (τὸ δεύτερον αὐτοῦ πρότερον ἀποκρίνωμαι *B*) . . . 23 εἴπομεν (εἶπεν *B*) . . . ᾔδειμεν (ἦν μία εἰ *B*) . . . 23.24 αὐτοὶ . . . τεθεικότες (αὐτὸς . . . τεθεικὼς *B*).

The recension of *B* has been altered to accommodate a shift of subject from the first plural to "Apsines". This seems to be another of the number of *B*'s re-workings of *A*.[15]

7. 39.11 post ἐνθυμούμενος add. ὅπερ αἰτιῶνται ἀψίνην ὅτι ἐν καταστάσει τοιαύτῃ γνώμην ἐξετάζει. τοῦτ' ἐστὶ τὸ χρῶμα ὅπερ ἐστὶ τῶν πραγμάτων *B* del. Ba.

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[15] See above, p. xxii and note 7, and, in addition, such instances as the following: chapter 1.53 πλῆθος ⟨καὶ τὸ μέγεθος ἐστι⟩ *B*, 1.92 ὧν ἡμεῖς ἐγκαλοῦμεν,] ⟨νῦν⟩ ἡμεῖς ἐγκαλοῦντες ⟨ἥκομεν⟩ *B* 2.1 προδιορισμοῦ ἢ] ⟨ἐκ⟩ διορισμοῦ ⟨τουτέστιν ἐξ ὑπογραφῆς⟩ ἢ ⟨ἐξ⟩ *B*, 4.16 καὶ ἔστι τοῦτο ἄκρας δυνάμεως δεῖγμα] καὶ ἔστι οὐ μικρᾶς τοῦτο δυνάμεως *B*, 5.22 εἰ γὰρ αἱ ἰσχυρότεραι πρότεραι τεθεῖεν, οὐκέτι χώραν ἕξουσιν αἱ ἀσθενέστεραι] εἰ – τεθεῖεν ⟨δεύτεραι δὲ αἱ ἀσθενέστεραι,⟩ οὐκέτι χώραν ἔχουσιν αἱ ἀσθενέστεραι *B*, 9.1 νυνὶ δ' ἴδωμεν . . . τὰ κυριώτατα τῶν κεφαλαίων, ἐκ ποίων τόπων σύγκειται καὶ κατὰ ποίας κατασκευὰς συνίσταται] νῦν δ' ἴδωμεν . . . τ. κ. τ. κεφ. ἐκ π. τ. τὰς συστάσεις λαμβάνει καὶ τὰς κατασκευὰς καὶ πῶς συνίσταται *B*.

We have not reported in the critical apparatus of this edition variants which are a matter of itacism (i.e. the confusion of -ει-, -ι-; -ω-, -ο-; -αι-, -ε-; -ι-, -η-). Otherwise, all variants of *A* and *B* are reported. Readings from copies of *B* are reported when they contain correct or plausible readings or have readings which have been used by previous editors.

M.R.D.

SIGLA

A	Paris. gr. 1874
B	Paris. gr. 1741
C	Paris. gr. 1656
D	Ambros. B 164 sup.
E	Ambros. I 81 sup.
F	Ambros. M 92 sup.
G	Wölfenbüttel Gudianus gr. 14
H	Vatic. palat. gr. 66
I	Escorial. gr. 114 (Σ III 15)
L	Cambridge Queens' College Ms. gr. 20
M	Laurentianus 59.11
N	Napoli BN gr. II E 4 (139)
O	Oxon. Bod. auct. T.3.13 (misc. 230)
P	Vatic. palat. gr. 277
Q	Bibl. Ricc. gr. 68
R	Bibl. Ricc. gr. 15 (K I 25)
S	Marcianus gr. VIII 10
T	Madrid BN gr. 4738
V	Marcianus gr. 429
W	Vindobon. phil. gr. 60
X	München Bayer. SB gr. 456
Z	Farnesianus I.E. 48 cf. Walz 9 p. xi[1]

[1] The whereabouts of this manuscript is unknown. Walz (vol. 9, p. xi) describes it as a paper manuscript of the 15th century containing, "selecta quaedam Demetrii, Aristidis, Apsinis capita et Menander (*sic*), qualis est in Aldina".

ΤΕΧΝΗ ΤΟΥ ΠΟΛΙΤΙΚΟΥ ΛΟΓΟΥ
(*The Anonymous Art of Political Speech*)

ΤΕΧΝΗ ΤΟΥ ΠΟΛΙΤΙΚΟΥ ΛΟΓΟΥ

ΠΕΡΙ ΠΡΟΟΙΜΙΩΝ

1. Ὁ πολιτικὸς [ἤτοι δικανικὸς] λόγος εἰς τέσσαρα μέρη διαιρεῖται τὰ προκείμενα· χρῄζομεν γὰρ ἐν αὐτῷ προοιμίων μὲν πρὸς τὸ προσεχεστέρους ποιῆσαι τοὺς ἀκροατάς, διηγήσεως δὲ πρὸς τὸ διδάξαι τὸ πρᾶγμα, τῶν δὲ πίστεων πρὸς τὸ κατασκευάσαι ἢ ἀνασκευάσαι τὸ προκείμενον· τοὺς δὲ ἐπιλόγους ἐπάγομεν πρὸς τὸ ἐπιρρῶσαι τὸν ἀκούοντα εἰς τὴν ὑπὲρ ἡμῶν ψῆφον. **2.** πρῶτον μὲν οὖν περὶ προοιμίων λεκτέον καὶ ἑξῆς περὶ τῶν λοιπῶν.

3. Ἔνιοι μὲν τῶν τεχνογράφων ἐκ τῶν αὐτῶν ὁρμᾶσθαι τὸ προοίμιον καὶ τὸν ἐπίλογόν φασιν, Ἀλέξανδρος δὲ οὐκ ἀληθές φησι τοῦτο· ἐνίοτε γὰρ ἑτέρας μὲν ὕλας ἔχει τὸ προοίμιον καὶ ἑτέρας ὁ ἐπίλογος.

4. Ἰστέον ὅτι κυρίως προοίμια ἔλεγον οἱ παλαιοὶ τὰ τῶν κιθαρῳδῶν· οἴμας γάρ ἐκάλουν οὗτοι τὰς ᾠδάς. τὸ οὖν ἀνάκρουμα τὸ πρὸ τῆς ᾠδῆς τῆς κιθάρας προοίμιον ἐκάλουν· ἀπὸ τούτου καὶ ἐπὶ τὸν ῥητορικὸν μετενήνεκται λόγον τὸ ὄνομα. **5.** ὁρίζονται δὲ αὐτὸ οὕτως· προοίμιόν ἐστι λόγος κινητικὸς ἢ θεραπευτικὸς τῶν τοῦ ἀκροατοῦ παθῶν· παρασκευάσαι γὰρ ἀκροατὴν ἀδύνατον μὴ κινήσαντα ἢ θεραπεύσαντα τὰ ἐν αὐτῷ πάθη. **6.** ἔστι δὲ πάθος πρόσκαιρος κατάστασις ψυχῆς, σφοδροτέραν ὁρμὴν ἢ ἀφορμὴν κινοῦσα, οἷον ἔλεον, ὀργήν, φόβον, μῖσος, ἐπιθυμίαν. διαφέρει δὲ τοῦ ἤθους, ὅτι τὸ μὲν δυσκίνητον, τὸ δὲ εὐκίνητον· ἦθος γάρ ἐστι διάθεσις ψυχῆς ἐνεσκιρωμένη καὶ δυσεξάλειπτος, οἷον τῶν πατέρων πρὸς τοὺς παῖδας.

7. Λαμβάνεται δὲ τὰ προοίμια ἐκ τεσσάρων τούτων· ἐκ τοῦ αὐτοῦ,

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1 1 del. Gr. coll. 6.511.4 W. **4** 11 κυρίως ⟨μὲν⟩ Gr. || 13 τούτου ⟨δὲ⟩ Gr. || 13–14 τῶν ῥητορικῶν . . . λόγων *A*, corr. Sp. **6** 18–19 ἔλεος, ὀργή, φόβος, μῖσος, ἐπιθυμία Gr. || 20 ἐνεσκιρρωμένη *A*, corr. Gr.

THE ART OF POLITICAL SPEECH
by an unidentified writer known as
Anonymous Seguerianus*

Chapter 1. On Prooemia

1. A political speech[1] divides its contents into four parts; for we use prooemia in it to make the hearers more attentive, and a narration to explain the subject, and proofs to establish or refute what is proposed, and we add epilogues to arouse the hearer to a vote for our side of the issue. **2.** First then one should speak about prooemia and subsequently about the rest of the parts.

3. Now some of the technical writers[2] say that the prooemion and the epilogue are derived from the same things, but Alexander[3] says this is not true; for sometimes the prooemion has some material and the epilogue other material.

4. One should know that ancient writers spoke of the prooemia of players of the cithara, using the word in its proper sense; for they called the tunes *oimai.* Thus they called the striking of the cithara before the tune the *pro-oimion*; the word was transferred from this also to rhetorical speech.[4] **5.** They define it thus:[5] a prooemion is speech that arouses or calms the emotions of the hearer; for it is impossible to prepare a hearer without arousing or soothing his emotions. **6.** *Pathos* is a temporary condition of the soul, arousing a rather strong positive or negative impulse,[6] such as pity, anger, fear, hate, desire. It differs from *ēthos*[7] in that the latter is hard to affect, the former easy to affect; for ethos is a permanent state of the soul, ingrained and hard to wipe out, such as the feeling of fathers toward sons.[8]

7. Prooemia are derived from the following four things: from the speaker,

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* *Words or phrases in parentheses are additions by the translator for the sake of clarity.*

1 I.e., a judicial or deliberative speech, including declamations on judicial or deliberative subjects.

2 Apollodorus of Pergamum and his followers; cf. below §26 and Introduction.

3 Alexander, son of Numenius, rhetorician of the second century and the source of §§1–3; see Introduction.

4 Cf. Aristotle, *Rhetoric* 3.14.1; Quintilian 4.1.2.

5 The following definition of prooemion is found in no earlier writer; Graeven, p. xxxix, attributed it to Neocles, the probable source of §§4–7.

6 The definition is attributed to Neocles in §223 below. It apparently derives from Stoic sources; cf. Cicero, *Tusculan Disputations* 4.11–12; Diogenes Laertius 7.110–114; Stobaeus, *Eclogae* 2 p. 166; Graeven on §223 below.

7 I.e., the representation of moral character in a speech.

8 This conception of ethos and pathos is ultimately derived from Aristotle; cf. *Nicomachean*

ἐκ τοῦ ἀντιδίκου, ἐκ τῶν δικαζόντων, ἐκ τῶν πραγμάτων. ἐκ τοῦ αὐτοῦ, ὡς Δημοσθένης ἐν τῷ κατά Κόνωνος "ὑβρισθείς". ἂν δὲ ὑπὲρ ἑτέρου λέγῃς, καὶ τοῦτο ἐπισημαίνεσθαι δεῖ, ὥσπερ πεποίηκε Λυσίας λέγων· "ἐπιτήδειός μοί ἐστιν Ἄρχιππος οὑτοσί, ὦ δικασταί". ἐκ τοῦ ἀντιδίκου, ὡς ἐν τῷ κατὰ Μειδίου· "τὴν μὲν ἀσέλγειαν". ἐκ τῶν ἐκείνῳ συναγορευόντων, ὡς Δημοσθένης· "εἰ μὲν ὅτῳ πλεῖστοι συνείποιεν, ὦ βουλή". ἐκ δὲ τῶν πραγμάτων, ὡς Λυκοῦργος ἐν τῷ κατ' Αὐτολύκου· "πολλῶν δὲ καὶ μεγάλων ἀγώνων εἰσεληλυθότων οὐδέποτε περὶ μειζόνων ἥκετε δικάσοντες". ἐκ δὲ τῶν ἀκροατῶν ἢ τῶν δικαστῶν, ὡς Ἰσοκράτης· "εἰδότες ὑμᾶς, ὦ ⟨ἄνδρες⟩ Ἀθηναῖοι".

8. Τοπικὰ δὲ προοίμια Ἁρποκρατίων φησὶ τὰ περιστατικά. **9.** σκοπὸς δὲ τοῦ προοιμίου τὸ τοιόνδε παρασκευάσαι τὸν ἀκροατήν· τέλος δὲ τὸ προσοχὴν καὶ εὐμάθειαν καὶ εὔνοιαν ἀπεργάσασθαι.

10. Εἰδότες γὰρ οἱ ἀκούοντες περὶ ὧν οἱ λόγοι, εὐμαθέστεροι γενήσονται. εὐμάθειαν δὲ ποιεῖ προέκθεσις, ἀνανέωσις, μερισμός. **11.** προέκθεσις μέν ἐστιν ὅταν ἃ μέλλει τις λέγειν ὡς ἐν κεφαλαίῳ προεκθῆται, ὡς [Αἰσχίνης]· "ἐπιδείξω δὲ καὶ τὸν ἄνδρα ἀνάξιον δωρεᾶς καὶ τὸ ψήφισμα παράνομον". **12.** ἀνανέωσις δέ ⟨ἐστιν⟩ ὅταν ἀναλαμβάνοντες τὰ προειρημένα εἴδη περὶ ὧν λέγειν μέλλομεν διορίσωμεν, ὡς Αἰσχίνης ἐν τῷ κατὰ Τιμάρχου· "περὶ μὲν οὖν τοὺς πολίτας καὶ τοὺς οἰκείους οἷος γεγένηται, καὶ τὴν πατρῴαν οὐσίαν ὡς αἰσχρῶς ἀνάλωκε, καὶ τὴν ὕβριν εἰς τὸ αὑτοῦ σῶμα ὑμεῖς ἴστε καὶ ἱκανῶς ὑμᾶς ἀνέμνησεν ὁ παρ' ἐμοῦ λόγος· δύο δέ μοι τῆς κατηγορίας ⟨εἴδη⟩ λείπεται", καὶ ἑξῆς. **13.** μερισμὸς δέ ἐστιν εἰς μέρη περιγραφὴ τῶν ὅλων

7 2 ὑβρισθεὶς Sp. coll. Dem. ὕβρεως *A* || 6 ὅτῳ Sp. coll. Dem. οὕτως *A* || 8 δὲ del. Gr. coll. schol. D. 54.1.1 δὴ Sau. || 10 ὡς ⟨ἐν τῷ Πλαταικῷ⟩ Gr. coll. 7.54.20 W. | add. Gr. **9** 13 προσέχειν *A*, corr. Gr. coll. 3.450.20 Sp. **11** 16 μέλλῃ *A*, corr. Sp. | 16 προεκθήσεται *A*, corr. Seg. || 17 del. Wilam. **12** 18 add. Gr. || 23 ἐμὲ *A*, corr. Seg. coll. Aeschin. | τὰς κατηγορίας *A*., corr. Sp. coll. Aeschin. | add. Gr.

from the opponent, from the judges, from the subjects.[9] From the speaker, as does Demosthenes in *Against Conon*, "Having been insulted. . . ."[10] But if you are speaking on behalf of another, you should also mark this out,[11] as Lysias has done by saying, "Archippus here is my friend, judges."[12] From the opponent, as in *Against Meidias*: "The wantonness. . . ."[13] From those speaking in agreement with the opponent, as Demosthenes does: "If, Members of the Council, (the decree ordered you to give the crown) to whomever many have suggested. . . ."[14] From the subject, as Lycurgus does in *Against Autocles*: "Although many great cases have come before you, you have never been assembled to judge so important a one as this."[15] From the hearers or the judges as Isocrates does: "Knowing you, Men of Athens. . . ."[16]

8. Harpocration[17] says that the topics of prooemia are those of the circumstances. **9.** The *skopos*[18] of the prooemion is to prepare the hearer to be of a certain sort, and its *telos*[19] is to create attention and receptivity and good will.[20]

10. If the hearers know what the speeches are about they will become more receptive. *Proekthesis*, *ananeōsis*, and *merismos* create receptivity.[21] **11.** It is proekthesis whenever someone sets out, as in a heading (*kephalaia*), what he is going to say; for example, "I shall show both that the man is unworthy and that the decree is illegal."[22] **12.** It is ananeosis whenever, in taking up ideas previously mentioned, we define what we are going to say (next), as does Aeschines in *Against Timarchus*: "Now what manner of man he has become in dealings with citizens and his family, and how he has shamefully squandered his patrimony, and his wantonness against his own body, (these things) you know and my speech has sufficiently reminded you; two points of my accusation remain," and so on.[23] **13.** And merismos is an outline of

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Ethics 2.5 and *Rhetoric* 2.11; cf. Quintilian 6.2.8. It recurs in Byzantine writings on rhetoric; cf. John Doxapatres in Walz II pp. 171 and 495 and Maximus Planudes in Walz V p. 561.

[9] Cf. Aristotle, *Rhetoric* 3.14.7; Cicero, *On Invention* 1.22.

[10] Cf. Demosthenes 54.1.

[11] Cf. Quintilian 4.1.7.

[12] Lysias, frag. 231 ed. Thalheim.

[13] Demosthenes 21.11, of Meidias.

[14] Demosthenes 51.1.

[15] Lycurgus, frag. 15, ed. Cononis; cf. Burtt, *Minor Attic Orators* pp. 146–47.

[16] Isocrates, *Plataeacus* 1.

[17] Rhetorician of the late second century; see Introduction.

[18] I.e., its goal or function.

[19] I.e., its end or purpose.

[20] This is the teaching of most rhetoricians; cf., e.g., Cicero, *On Invention* 1.20; *Rhetoric for Herennius* 1.7; Quintilian 4.1.5. Aristotle, *Rhetoric* 3.14.7 remarks that it is not always desirable for the audience to be attentive.

[21] The terms might be translated as "preliminary statement, reminder, and partition." §§10–13 are probably derived from Alexander; cf. "we" in §12,

[22] The manuscript here attributes the quotation to Aeschines but in §167 below to Lycurgus, probably correctly. Cf. Burtt, *Minor Attic Orators* II pp. 150–51.

[23] Aeschines 1.116, apparently quoted from memory and with minor differences.

πράξεων, ὡς πεποίηκεν ὁ Δημοσθένης· "βούλομαι δὲ ὑμᾶς ἀναμνῆσαι, τίνων προσήκει λόγον παρὰ πρεσβευτοῦ λαβεῖν, πρῶτον μὲν ὧν ἀπήγγειλε, δεύτερον δὲ ὧν ἔπραξε", καὶ ἑξῆς. ἰστέον δὲ ὡς μερισμὸς καὶ προέκθεσις καὶ ἐν ἀρχῇ τοῦ λόγου παραληφθήσεται, ἀνανέωσις δὲ οὐκέτι· τῶν γὰρ μὴ προειρημένων οὐκ ἔστιν ἀνανέωσις.

14. Προσοχὴν δὲ ἀπεργάσῃ ἔκ τε τῶν προειρημένων καὶ πρὸς τούτοις εἰ ἀξιόπιστος φαίνοιο, καὶ ⟨εἰ⟩ εἰδὼς περὶ ὧν λέγεις καὶ ἕτερά τινα ἐπιστάμενος φαίνοιο ἢ πολλῶν ἔμπειρος εἶναι πραγμάτων προσποιοῖο, ἢ αὐτὸς πειραθεὶς ἢ καὶ παρ' ἄλλων πειραθέντων μαθὼν καὶ συμβουλεύσας· ὥσπερ ὁ παρ' Ὁμήρῳ Νέστωρ εἰσάγει ἑαυτὸν τοῖς περὶ Καινέα καὶ Ἐξάδιον συμβουλεύσαντα, [καὶ] ὅτι πειθήνιοι ἦσαν αὐτῷ, οὕτως καὶ πρότερον δηλώσεις καὶ αὐτός, ὡς πεισθέντες μὲν κατώρθωσαν, μὴ πεισθέντες δὲ ἀπώλοντο. **15.** καὶ τὸ ἐπιτιμᾶν δὲ τοῖς ἄλλοις δοκεῖ προσοχὴν καὶ φόβον κινεῖν, καὶ εἰ νόμιμα λέγειν προσποιοῖο, καὶ εἰ ἢ αὐτὸς ἔνδοξος φαίνοιο ἢ τοῖς τῶν ἐνδόξων προσχρώμενος καλοῖς, περὶ μεγάλων δὲ ἢ καλῶν ἢ συμφερόντων λέγοις ἐληλυθέναι, καὶ εἰ προσυπισχνοῖο ὅτι καινὰ καὶ ὅτι διὰ βραχέων καὶ σαφῶς καὶ περὶ ἀναγκαίων ἐρεῖς.

16. Εὔνοιαν δ' ἐργάσῃ ἢ φύσει οἰκειούμενος ἢ συνηθείᾳ ἢ φιλίᾳ πατρῴᾳ, ἢ εἰ κοινῇ συμφέρειν λέγοις ἢ τῶν αὐτῶν ἐφίεσθαι. **17.** εὔνοιαν δὲ ποιεῖ καὶ τὸ χρηστὸν εἶναι· χρηστὸν δὲ εἶναι δείκνυσι τὸ τοὺς ἐπιεικεῖς ἐπαινεῖν καὶ τὸ τοὺς θρασυτέρους προάγειν καὶ τὸ μηδενὶ φθονεῖν· καὶ τὸ μὴ διαρρήδην λέγειν τά τε αὑτοῦ ἀγαθὰ καὶ τὰ [περὶ] τοῦ ἀντιδίκου κακά· καὶ τὸ τοῦ μὲν κατηγόρου τὰ πολλὰ ἐᾶν, αὐτὸ δὲ τὸ πρᾶγμα λαλεῖν, καὶ μὴ μόνον αὐτόν, ἀλλὰ καὶ ἕτερον ἄχθεσθαι λέγειν· καὶ εἰ φιλανθρωπότερον δὲ ἀπαγγείλαις τὰ πικρότερα τῶν νοημάτων. **18.** ποιεῖ δὲ εὔνοιαν καὶ τὸ δοκεῖν ἐπιεικῆ τὸν λέγοντα εἶναι· ἐπιεικὴς δὲ δόξεις, εἰ μὴ θρασέως ἐπὶ τὰς δίκας ὁρμῶν

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13 3 ἔπραξε] ἔπεισε Dem. **14** 7 add. Kennedy ‖ 10 συμβουλεύσας del. Fi. συμβουλεῦσαι (scil. προσποιοῖο) K. ‖ 11 συμβουλεύσας *A*, corr. Fi. | del. Sp. ‖ 12 δῆλος εἴης καὶ αὐτὸς ⟨συμβουλεύσας καὶ⟩ Gr. **15** 17 παρεληλυθέναι K. | προυπισχνοῖο Wilam. ‖ 18 σαφῶν *A*, corr. K. **16** 19 ἀπεργάσῃ Gr. **17** 23 μηδενὶ Sp. μὴ δεῖν *A* μηδένα Seg. ‖ 24 del. Sp. ‖ 25 ἑτέρους Wilam. ‖ 26 ἀπαγγείλοις *A*, corr. Sp. ἀπαγγέλλοις Gr.

the whole subject into parts, as Demosthenes has done: "I want to remind you what things you ought to require in an accounting from an ambassador: first an account of what he reported and second of what he did", and so on.[24] But one should understand that merismos and proekthesis will be brought in even in the beginning of the speech, but ananeosis will not; for there is no ananeosis of what has not been said earlier.

14. You[25] will create attentiveness from what has been said above and in addition if you should seem worthy of credence, and if you should seem knowledgeable about what you say and knowing some other things or if you should affect to be experienced in many things, either having encountered them yourself or having learned from others who encountered them, and having advised (about them); just as in Homer Nestor introduces himself as having given advice to those with Caeineus and Exadios, because they were obedient to him,[26] so you too will also make clear earlier that they succeeded when they had been persuaded and perished when they had not been persuaded. **15.** Also, censuring others seems to arouse attention and fear, and if you should claim to say what is legal, and if you should seem to be either an honorable person yourself or to be availing yourself of the good advice of honorable men, and you should say you have come (to speak) about important or fine or advantageous things, and (you will get attention) if you were to promise that you will say what is new and that you will speak briefly and clearly and (only) about what is necessary (to the case).

16. Good will you will create by conciliating (the audience) by your nature or way of life or your own heredity, or if you should say what is advantageous to all or that you desire the same things (as do others). **17.** Also, being well thought of makes good will; it is an indication of being well thought of that fair-minded people praise you (for undertaking the case) and more aggressive people urge you on and that no one begrudges (your doing it);[27] and not explicitly mentioning your own good qualities and the bad ones of the opponent; and on the one hand, leaving aside many things about the accuser, but on the other mentioning the facts; and that not only he but someone else also is annoyed; and if you were to report some rather bitter thoughts but do so humanely. **18.** It creates good will also for the speaker to seem to be reasonable; and you will seem reasonable if you

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[24] A paraphrasis of Demosthenes 19.4.
[25] The sudden appearance of the second person probably marks a change of source from Alexander to Neocles for §§14–18; cf. Introduction.
[26] *Iliad* 1.262–73.
[27] For this interpretation of the Greek, see Graeven *ad loc.*

φαίνοιο, ἀλλὰ πολὺν χρόνον κατεσχημένος καὶ διαλλαγῆναι πρὸς τὸν ἀντίδικον ἐθελήσας, εἰς μετριωτέραν αὐτὸν πολλάκις δίκην προκαλεσάμενος καὶ τοῖς ὑπ᾽ ἐκείνου προκαλουμένοις δοκῶν ἐπιμένειν καὶ μετρίας ὁρίζων τὰς τιμωρίας [ἤτοι τοῦ ἀντιδίκου], καὶ τῇ ἐκβολῇ τοῦ λόγου μὴ πικρᾷ χρώμενος, καὶ τὰ τούτοις παραπλήσια.

19. Διαφέρει δὲ τοῦ ἐπιλόγου τὸ προοίμιον ὅτι ἐν μὲν τῷ προοιμίῳ τὸ σχῆμα καὶ τὴν ἑρμηνείαν μέτριον εἶναι δεῖ καὶ τιθασσὸν ὡς ἂν εἴποι τις, ἐν δ᾽ ἐπιλόγοις τὸ σχῆμα συγκεκινημένον καὶ πολλὰς μὲν ἐμβοήσεις ἔχον, πολλοὺς δὲ σχετλιασμούς, τήν τε ἑρμηνείαν συγκειμένην ἐκ τροπικῆς μᾶλλον καὶ σημειώδους λέξεως, δυναμένης μέντοι πεσεῖν εἰς πολιτικοὺς λόγους. **20.** ἔτι δὲ καὶ τούτῳ διαφέρει, ὅτι πολλὰ τῶν ἐν τοῖς προοιμίοις οὐκέτ᾽ ἐν ἐπιλόγοις λεκτέον. οὐ μόνον δὲ τῶν προοιμίων εἰσί τινες ὕλαι αἷς οὐ χρώμεθα ἐν ⟨τοῖς⟩ ἐπιλόγοις, ἀλλὰ καὶ τῶν ἐπιλόγων ὧν οὐκ ἔστιν ἐν τοῖς προοιμίοις χρεία· ποιήσομεν ⟨γὰρ⟩ τὸ προοίμιον εἰ τῶν κεφαλαίων τῶν ἀναγκαίων ἐν τούτῳ τὰς ὑπολήψεις ληψόμεθα, ἐν δὲ τῷ ἐπιλόγῳ ἀνάγκη πᾶσα ἕν τι λαμβάνειν αὐτῶν εἰς ἐπίρρωσιν ἢ παραίτησιν.

21. Ἰστέον ὅτι πολλάκις δεῖ παραιτεῖσθαι τὰ προοίμια· οὐ γὰρ ἀεὶ προοιμιαστέον. **22.** ὅταν γὰρ μὴ πάθος ἔχῃ τὰ πράγματα, οὐ προοιμιαστέον. πολλὰ δέ εἰσι τοιαῦτα, οἷον ὅταν ἢ περὶ κυνιδίου ἢ ἀργυρίου δίκη ᾖ· ἐνταῦθα γὰρ περιττὸν τὸ προοίμιον, εἴγε τοῦτο μέν ἐστι παθῶν προθεραπεία, μηδὲν δ᾽ ἐν τούτοις πάθος. **23.** δεύτερον, ὅταν πάθος μὲν ἔχῃ, ὁ δὲ ἀκροατὴς μὴ προσίηται τὸν ἔξω τῶν πραγμάτων λόγον ἤτοι σπεύδων ἢ ὀργιζόμενος. **24.** τρίτον, ὅταν οἰκεῖοι ὦσιν οἱ ἀκούοντες· περιττὸν γὰρ τὸ πειρᾶσθαι εὔνους ἡμῖν ποιεῖν τοὺς ἀκούοντας οἰκείους ὄντας. **25.** τέταρτον, ὅταν ὀλίγον λαμβάνωμεν ὕδωρ, πρὸς ὃ δεῖ λέγειν τὸν λόγον· ἐνταῦθα γὰρ ἡ τῶν ὠφελιμωτέρων διήγησις ἀναγκαιοτέρα.

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18 2.3 προσ- . . . προσ- *A*, corr. K. ‖ 3 δοκεῖν *A*, corr. Sp. ‖ 4 ὁρίζειν *A*, corr. Sp. | del. Fi. **19** 8 συγκεκινημένως *A*, corr. Sp. ‖ 9 ἐκβοήσεις Marcellinus 4.428.14 W., fort. correcte **20** 12 προοιμίοις ⟨λεχθέντων⟩ Gr. coll. Marcellino ‖ 13 add. Sp. ‖ 15 ⟨ἑλκο⟩-ποιήσομεν Gr., coll. Marcellino | add. Gr., coll. Marcellino ‖ 16 τούτοις *A*, corr. Gr. ‖ 17 αὐτὸν *A*, corr. Gr. coll. Marcellino. **22** 20 ἐστι Gr. ‖ 22 μηδὲν Wilam. μὴ ᾖ *A* **23** 23 προίηται *A*, corr. Sp. **25** 26 λαμβάνομεν *A*, corr. Seg.

seem not to be rushing into court rashly but having controlled yourself for a long time and having wanted to come to a reconciliation with the opponent, having often summoned him to trial on a more moderate charge and seeming to await charges instigated by him and defining moderate punishments, and using a tone of delivery of the speech that is not bitter, and things like these.

19. The prooemion differs from the epilogue in that the figuration and the style (*hermēneia*) in the prooemion should be moderate and, as one might say, rather tamed, but in epilogues the figuration is excited and has, on the one hand, many exclamations and on the other many complaints, and the style is composed of diction that makes more use of tropes and significant choice of words—limited, of course, to those that can occur in political speeches.[28] **20.** Furthermore, they differ also in this respect, that many of the things in prooemia should not be said in epilogues. Not only are there some materials for prooemia which we do not use in epilogues, but also some materials for epilogues for which there is no utility in prooemia; for we shall be composing the prooemion if we take up assumptions of the headings that are necessary in it, but in the epilogue all the need is to take up some one of them for intensification or deprecation.

21. One should understand that often prooemia should be omitted; for one should not always use a prooemion. **22.** For whenever the subject has no pathos one should not use a prooemion. There are many such cases; for example, when the trial is about a small dog[29] or a few coins; for there a prooemion is excessive, if, that is, a prooemion is regarded as preparation for emotional treatment, and nothing in these cases is pathetical.[30] **23.** Second, whenever the subject has pathos but the hearer, either from zeal or anger, does not allow discussion beyond the facts. **24.** Third, whenever the hearers are relatives; for it is excessive to try to make hearers well disposed to us when they are relatives. **25.** Fourth, whenever we have received on the water clock only a little time in which we must give the speech; for in that case a narration of the more advantageous points is more needed.

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[28] §§19–20 are excerpted by Marcellinus; cf. Walz IV p. 428, 4–29. Alexander is the probable source of §§19–40; note "we" in §§20, 24–25, 27, 33–35, and 39. He is named in §30; cf. his use of *hermēneai* in §221.

[29] The reference is probably to a lost speech about a small dog by Lysias; cf. below §206.

[30] For other occasions on which a prooemion may be best omitted, see Quintilian 4.1.72.

26. Τινὲς δὲ ἔφασαν ὥσπερ οἱ Ἀπολλοδώρειοι, ἀεὶ δεῖν χρῆσθαι προοιμίοις, λέγοντες οὕτως· τὸν μὲν λόγον ἐκ μερῶν συγκεῖσθαι, τὸν δὲ μὴ ἐκ πάντων συγκείμενον οὔτε ὁλόκληρον εἶναι οὔτε ὑγιῆ. μάλιστα μὲν οὖν φασιν οὐδὲν τῶν τοῦ λόγου μερῶν παραλειπτέον, ἐξαιρέτως δὲ ⟨τὸ⟩ προοίμιον· δόξει γὰρ ἀκέφαλός τις ὁ λόγος εἶναι ὅλος διὰ τὸ ὥσπερ κεφαλὴν τοῦ παντὸς λόγου τὸ προοίμιον εἶναι. **27.** εἰ δὲ τοῦτο, φασίν, παραιτησόμεθα καὶ τὸν ἐπίλογον ἐξ ἀνάγκης διὰ τὸ τοῦ παθητικοῦ μέρη εἶναι ἀμφότερα. ἔτι δὲ καὶ τοιοῦτό τι λέγουσι· πότερον γὰρ παραλείψομεν τὸ προοίμιον ἢ τοὺς ἐπιλόγους; εἰ μὲν οὖν τοὺς ἐπιλόγους, ἀτελὴς ἔσται, μάτην εἰρημένος ὁ λόγος τοῖς μεταξὺ εἰρημένοις εἰς λήθην τῶν καιριωτέρων τῶν ἀκροατῶν ἐμπεπτωκότων· εἰ δὲ μὴ παραλείψομεν τούτους, οὐδὲ τὸ προοίμιον. **28.** πρὸς δὲ τούτοις κἀκεῖνό φασιν· ἔργον μὲν εἶναι προοιμίου καὶ τέλος τὸ τὸν ἀκροατὴν εὔνουν παρασκευάσαι πρὸς τὰ λεχθησόμενα, τούτου δὲ παραλειφθέντος μηδὲν τῶν προειρημένων γενήσεσθαι. **29.** ἐφ' ἅπασιν ἐκεῖνο λέγουσιν, ὅτι πολλοὶ τῶν ἀρχαίων λόγους συνέγραψαν, ὧν οὐδείς ἐστιν ἀπροοιμίαστος.

30. Οὗτοι μὲν οὖν οὕτως, Ἀλέξανδρος δὲ ὁ τοῦ Νουμηνίου πρὸς ἕκαστον τῶν εἰρημένων ἀπαντῶν πρῶτον μὲν ἐκεῖνο μέμφεται, ὡς οὐκ ὀρθῶς τῆς ῥητορικῆς κατωπτεύκασι τὴν φύσιν στοχαστικῆς οὔσης· ⟨καὶ⟩ γὰρ αὐτοὺς λελήθασι, φησίν, ὡς περὶ ἐπιστήμης διαλεγόμενοι. **31.** διαφέρει δὲ ἡ ἐπιστήμη τῆς τέχνης, καθὸ ἡ μὲν ἀδιαπτώτων ἐστὶ θεωρημάτων καὶ μίαν ἐχόντων τὴν φύσιν, τέχνη δὲ [ἀπὸ] κινουμένων καὶ ἄλλοτε ἄλλην ἀναλαμβανόντων φύσιν. τέχνης οὖν οὔσης τῆς ῥητορικῆς καὶ τῶν θεωρημάτων αὐτῆς πρὸς τοὺς καιροὺς ἁρμοζομένων ἁμαρτάνουσιν ἐπιστημονικῶς διδόντες τὰ θεωρήματα καὶ λέγοντες ἀεὶ δεῖν προοιμιάζεσθαι. **32.** ἀλλὰ τοῦτό φαμεν, ὡς, ἐπειδὴ ἄλλοτε ἄλλοις περιπίπτομεν πράγμασιν, ἡ δὲ τέχνη ἡμῶν πρὸς τὸ

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26 1 δεῖ *A*, corr. Seg. || 5 add. Wilam. | ὅλως Wilam. || 6 ὥσπερ Fi. ὑπὲρ *A* ὅπερ Sp. **29** 17 ἀποπροοιμιάσματος *A*, corr. Seg. **30** 19 ἁπαντῶν *A*, corr. Sp. || 20 ⟨τέχνης⟩ οὔσης Wilam. || 21 add. Sp. | αὐτοὺς γὰρ Wilam. | ἐπιστημῶν *A*, corr. Sp. **31** 22 ἐπιστημῶν *A*, corr. Sp. || 23 del. Fi. ἐκ Sp.

26. But some have declared, as do the Apollodoreans,[31] that it is necessary always to use prooemia, arguing as follows: a speech is composed of parts; but one not composed of all parts is neither complete nor sound. No part at all of a speech, then, they say, should be left out, and especially the prooemion; for the whole speech will seem something lacking a head because the prooemion is, as it were, the "head" of the whole speech.[32] **27.** But if we (omit) this, they say, we shall necessarily omit the epilogue also because both are parts of the pathetical function.[33] And they say further something of this sort: Shall we omit the prooemion or the epilogues? If then (we omit) epilogues, the speech will be without closure, having been spoken in vain in the intervening parts if the hearers have fallen into forgetfulness of the more apposite points; but if we shall not omit epilogues, neither (shall we omit) the prooemion. **28.** In addition to this, they say the following: the function and purpose of a prooemion is to make the hearer well disposed toward what is going to be said, and if this is omitted, nothing of what has been mentioned earlier will be accomplished.[34] **29.** Over all, they say that many of the ancients wrote speeches of which none is without a prooemion.

30. This, then, is their argument, but Alexander, son of Numenius, replying to each of the statements, first complains that they have not rightly perceived the nature of rhetoric, which is "stochastic";[35] for it has escaped their attention, he says, as though they were discussing a science. **31.** Scientific knowledge differs from art in that the former is characterized by infallible theorems that have a single nature, but the theorems of an art are changeable and sometimes take on a different nature. Since rhetoric is an art and its theorems[36] are adapted to occasions, the Apollodoreans err in stating theorems scientifically and saying that it is always necessary to use a prooemion. **32.** But we[37] say that since at different times we are involved with different subjects, and since our art is adapted to what is useful in the

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[31] Followers of Apollodorus of Pergamum, teacher of the emperor Augustus and founder of an influential school of rhetorical theory (cf. esp. Quintilian 3.1.17–18); cf. Introduction.

[32] Cf. Plato, *Phaedrus* 264c; Granatelli, p. 25. In Greek, the "head" of something is often thought of as its beginning, whereas in English we more often speak of something "coming to a head" at the end.

[33] Cf. §203 below and Apsines 10.2.

[34] Graeven proposed a lacuna here, since the Apollodoreans identified many additional functions of the prooemion; cf. Quintilian 4.1.50. But the author is summarizing their arguments why a prooemion should not be omitted, not providing a full account of their theory of the prooemion.

[35] I.e., it "aims" at a particular effect in each speech.

[36] *Theōrēmata*, the rules of rhetoric; Apsines (ch. 1) uses the word in the narrower sense of "topics."

[37] I.e., Alexander.

χρήσιμον τῶν παρόντων ἁρμόζεται, ἂν μὲν συμφέρῃ, προοιμιαστέον, εἰ δὲ μή, παραλειπτέον τοῦτο· οὐ γὰρ εὐκαίρως παραλειφθέντα βλάψει. **33.** ἀλλὰ μᾶλλον ἀκολούθως ῥητέον, καὶ πρῶτον πρὸς τὸ ὅτι οἱ ἀρχαῖοι συνέταξαν λόγους, ὧν οὐδεὶς ἀπροοιμίαστος· ἐκεῖνο γάρ φαμεν, ὅτι οἱ ἀρχαῖοι ἀγωνιζόμενοι ⟨μὲν⟩ πολλάκις οὐκ εἶπον προοίμια, συντάσσοντες δὲ μετὰ προοιμίων ἐβουλήθησαν συντάξαι· μάρτυς τοῦ λόγου Θουκυδίδης ἐν ᾗ φησι δημηγοριῶν· "Ἀλκίδα καὶ Λακεδαιμόνιοι, ἐμοὶ δοκεῖ πλεῖν ἡμᾶς ἐπὶ Μυτιλήνην". καὶ Μένανδρος ἐν τοῖς Ἐπιτρέπουσι τὴν δίκην ἄνευ προοιμίων πεποίηκεν· οὐδὲν δὲ διαφέρει ἢ ἐνταῦθα οὕτως αὐτὰ κεῖσθαι ἢ ἐν δικαστηρίοις λέγεσθαι. πρὸς δὲ τούτοις ἡ ἐν Ἀρείῳ πάγῳ βουλὴ οὔτε προοιμιάζεσθαι εἴα οὔτε ἐπιλογίζεσθαι. **34.** πρὸς δὲ τὸ ὅτι παρασκευαστικόν ἐστιν ἀκροατῶν τὸ προοίμιον, ἐκεῖνό φησιν, ὅτι, ὅτε μὲν παρασκευάσαι δεῖ, τότε παρασκευάσομεν, ἐὰν δὲ ὦσι παρεσκευασμένοι, περιττὸν προοιμιάζεσθαι. τοῦτο δὲ καὶ Μένανδρον εἰδέναι· ἐν γὰρ τῇ Ἐπικλήρῳ δικαζομένων τοῦ τε ἀνδρὸς καὶ τῆς γυναικὸς καὶ τοῦ παιδίου δικάζοντος οὐκ ἔθηκεν οὐδετέρῳ προοίμιον διὰ τὸ τὴν εὔνοιαν προϋπάρχειν τοῦ ἀνδρός, ὁμοίως δὲ κἂν πρὸς τὴν γυναῖκα ἰδίᾳ διαλεγώμεθα. κἂν ὀλίγον ἔχωμεν ὕδωρ, παραλείψομεν τὸ προοίμιον. ἐνίοτε δὲ καὶ πρὸς λίαν ἀντιπαρατεταγμένους τὴν παρασκευὴν ποιούμενοι μᾶλλον ἐρεθίζομεν αὐτοὺς καὶ λυποῦμεν. **35.** πρὸς δὲ τὸ πῶς ἡμῖν ἡ διήγησις παραδεχθήσεται μὴ προπαρεσκευασμένου τοῦ ἀκροατοῦ τῷ προοιμίῳ πρὸς τὴν ἀκοήν, ἐκεῖνο ἐροῦμεν, ὅτι ὅταν μὲν οἰώμεθα μὴ παραδεχθήσεσθαι ἡμῶν τὴν διήγησιν, τότε προοιμιασόμεθα· ὅταν δὲ εὐπαράδεκτος ᾖ, τότε οὐκ ἀναγκαῖον προοιμιάζεσθαι. **36.** δεῖ δὲ

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32 1 ἁρμοζομένων *A*, corr. Sp. **33** 5 add. Sau. ‖ 10 διαφέρειν *A*, corr. Sp. **34** 14 τοτε παρασκευάσοιμι *A*, corr. Fi. ‖ 18 τοῦ ἀνδρὸς del. Fi. | †τοῦ – διαλεγώμεθα† Gr. | 18 ἰδία *A*, corr. Sp. τὴν ἰδίαν Seg. | διαλεγόμεθα *A*, corr. Seg. ‖ 20 ἀντιπαρατεταγμένην *A*, corr. Seg. **35** 22 παραδειχθείη *A*, corr. Seg. παραδεχθείη Gr. | προσπαρεσκευασμένου *A*, corr. Seg.

existing circumstances, one should use a prooemion if it is advantageous, and if not one should omit it; for things appropriately omitted will do no harm. **33.** But there is more to be said, continuing the argument, and first in reply to the claim that the ancients composed speeches of which not one is without a prooemion; for we say as follows, that the ancients when arguing a case did not always use prooemia but when they arranged speeches with prooemia they wanted so to arrange them. Thucydides is a witness of the speech where a deliberative speaker says, "Alcides and Lacedaimonians, it seems to me best for us to sail to Mytilene."[38] And Menander in *The Epitrepontes* described a trial without prooemia, and it makes no difference whether it is found there[39] or is spoken in the law courts.[40] In addition, the Council of the Areopagus did not allow use of a prooemion or epilogue.[41] **34.** In reply to the argument that the prooemion is a way of preparing the hearers, (Alexander) says that when there is need to prepare them, then we shall prepare them, but if they have already been prepared, it is excessive to use a prooemion. And (he says) Menander also knew this; for in his *Epiklēros*,[42] when the husband and wife are being judged and the child is acting as judge, he did not compose a prooemion for either (parent) since the good will of the husband pre-existed, and much the same is true also if we are speaking separately in regard to the wife.[43] And (Alexander says) we shall omit the prooemion if we have little time by the water clock. But sometimes by making preparations against those who are too firmly determined against us we even inflame and annoy them more. **35.** In answer to the question of how our narration will be received if the hearer has not previously been prepared by the prooemion to listen to it, we shall say that whenever we think our narration will not be attended to, then we shall use a prooemion; but whenever it is easily accepted, then there is no necessity to use a prooemion. **36.** When making a prooemion the thought should be

[38] Thucydides 3.30, omitting a phrase. Deliberative speeches, given in extempore debate in the Athenian assembly or Roman senate, probably often omitted a prooemion and began with the proposition.

[39] I.e., in a play.

[40] Act 2 of Menander's *Epitrepontes* ("The Arbitrators") dramatizes an arbitration hearing; cf. J.W. Cohoon, "Rhetorical Studies in the Arbitration Scene of Menader's *Epitrepontes*," *Transactions of the American Philological Association* 45 (1914) 141ff. This is, however, an informal hearing; there does not seem to be any judicial speech without a prooemion in a formal trial by any of the Attic orators. An Athenian litigant, often not known to the jury, needed to gain good will and attention.

[41] A mistaken inference from Aristotle's statement (*Rhetoric* 1.1.5) that "speaking outside the subject" was forbidden in the Areopagus. In fact, judicial speeches before the Areopagus (e.g., Lysias 3 and 7) regularly contained prooemia and epilogues.

[42] "The Heiress," cited also by Quintilian (10.1.70).

[43] The text here may be corrupt. Since the play has not survived, the situation is not certain.

προοιμιαζόμενον ἀπὸ μὲν τοῦ πράγματος ποιεῖν νόημα, μὴ μέντοι ἢ αὐτὸ τὸ πρᾶγμα διεξιέναι ἢ τὰς εἰς τὸ πρᾶγμα κατασκευὰς ἀναλίσκειν· τὸ μὲν γὰρ διηγηματικόν, τὸ δὲ κεφαλαιῶδες καὶ ἐπιχειρηματικόν. δεῖ τοίνυν συνεστραμμένον εἶναι τὸ προοίμιον καὶ σπερματικῶς ἔχειν τὰ πράγματα καὶ ἀπηλλάχθαι πάσης ἀγωνιστικῆς ἐπιχειρήσεως.

37. Τινὲς δ' ἐπὶ τῆς αὐτῆς ὑποθέσεως ἔφασαν δύνασθαι εἶναι καὶ πολλὰ προοίμια καὶ ἕν, τῶν μὲν ὑπολήψεων τῶν αὐτῶν οὐσῶν, ταῖς δὲ κατασκευαῖς θεραπευομένων. ἐπεὶ οὖν, φασί, διάφοροί εἰσιν αἱ κατασκευαί, ἔσται πολλὰ προοίμια. **38.** ταὐτὸ δὲ τοῦτο πῇ μὲν ὀρθῶς ἔχει, φησί, πῇ δὲ φαύλως· τὸ μὲν γὰρ τῶν ὑπολήψεων, ὅτι αἱ αὐταὶ οὖσαι ταῖς κατασκευαῖς θεραπεύονται, καλῶς φησιν. εἴπερ δὲ αἱ αὐταί εἰσιν ὑπολήψεις, μᾶλλον ἓν ἂν γένοιτο προοίμιον ἢ πολλά, ἐπειδήπερ αἱ κατασκευαὶ διάφοροί εἰσι· τὸ γὰρ ὁλοσχερέστερον ἐν τοῖς ἐπὶ μέρους ἐστὶ κυριώτερον καὶ δυνατώτερον. **39.** μᾶλλον οὖν λέγομεν, φησίν, ὅτι ἕν ἐστι προοίμιον ἐπεὶ αἱ αὐταὶ ὑπολήψεις εἰσίν· οὐ γὰρ ἐπειδὴ πολλαὶ τῶν ὑπολήψεων θεραπεῖαι, πολλὰ ζητητέον προοίμια, ἀλλὰ μᾶλλον ἐπειδὴ ὑπολήψεις εἰσὶν αἱ αὐταί, ἓν εἶναι προοίμιον νομιστέον. ταῦτα περὶ προοιμίων.

2. ΠΕΡΙ ΔΙΗΓΗΣΕΩΝ

40. Περὶ δὲ τῆς διηγήσεως τοσαῦτα εἰπεῖν ἔχομεν, πρῶτον ἐκεῖνο εἰπόντες, ὅτι, ἐπειδὴ πολλάκις δυσχερὴς ἡμῖν ὁ λόγος γίνεται διὰ τὸ πρὸς οἰκείους ἔχειν, χρὴ τὴν αἰτίαν τούτων εἰς τοὺς ἀντιδίκους μετάγειν, τὰ πλήθη ἐπιδεικνύντας τῶν ἀδικημάτων ὧν μέλλομεν πάσχειν μὴ ὑποστάντες τὴν δίκην· ἢ ὅτι καὶ οἱ νόμοι τοῦτο ποιεῖν συγκεχωρήκασιν. οὕτως γὰρ ἡγοῦντό τινας δίκας ἔσεσθαι περὶ τοὺς οἰκείους. **41.** ἐὰν δὲ δοκῇ ἄπιστα λέγειν, καὶ αὐτὸ τοῦτο ἐπισημαίνου καὶ

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37 8 φησί *A*, corr. Seg. **38** 10 ⟨περὶ⟩ τῶν Sau. || 11 εἴπερ] ἐπεὶ δὲ Seg. || 12 πολλὰ transp. post ἢ Kennedy, post 13 εἰσι *A* **40** 25 δίκας] ἀδίκους Wilam.

derived from the subject, but one should certainly not give a detailed account of the subject or waste proofs on the subject; for the former is a matter for narration, the latter a matter of headings and epicheiremes. Thus the prooemion should be compact and deal with the subject in general terms and dispense with all argumentative handling.

37. Some[44] have said that on the same hypothesis[45] there can be both many prooemia and one prooemion, the subjects under discussion being the same and being defended with proofs. When, then, they say, the proofs are different, the prooemia will multiple. **38.** This view, (Alexander) says, is partly right, partly wrong; the part about the subjects for discussion—that (in a given hypothesis) they are the same and are defended with proofs, is well said. But if indeed the subjects discussed are the same, a prooemion would be one rather than many just because the proofs are different; for the more general concept is more determinative and more applicable in definitions of the part. **39.** Rather than this, he declares, we say that a prooemion is one when the subjects discussed are the same; for when there are many defenses of what is discussed, one ought not to seek many prooemia, but rather when the subjects discussed are the same, one should regarded the prooemion as one. So much about prooemia.[46]

Chapter 2. On Narrations

40. We can say many things about the narration (*diēgēsis*), saying first that since often a speech is difficult for us because it contains attacks on relatives,[47] it is necessary to refer the cause of these problems to our opponents, explaining the number of wrongs which we are going to suffer if we do not engage in the trial; or that the laws have even allowed one to do this; for thus they anticipate that there are going to be some suits about relatives. **41.** But if you seem to be saying what is incredible,[48] both note

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[44] The followers of Theodorus; cf. §134 below, where a similar doctrine about the narration is attributed to him. Quintilian (4.1.24) says that according to Theodorus the judge should be prepared in the prooemion for the most important questions to be raised in a speech. On the use of multiple prooemia, cf. Apsines 1.14–15. If a speech is going to use several different arguments (headings), each of these can be anticipated in the prooemion, and the prooemion as a whole can then be thought of as made up of several separate prooemia. Alexander opposed this usage of the word.

[45] E.g., the subject of a speech or theme of a declamation.

[46] Unlike Apsines, in chapter 1 of his work addressed to students of declamation, the anonymous author does not provide a list of topics to be used in prooemia or examples; his interest seems limited to theoretical questions debated by rhetoricians.

[47] This applies to actual cases involving wills or property and is especially true of declamations, many of which center on problems between parents and children. Cf. Apsines 1.37.

[48] The change from "we" in §§39–40 to "you" in §§41–45 probably indicates a change of source from Alexander to Neocles; he is named in §§46–47.

ἐπαγγέλλου δείξειν ὅτι ἀληθῆ λέγεις, ὡς ὁ Δημοσθένης· "οὐκ ἀγνοῶ μὲν οὖν ὅτι τὸν Χαρίδημον". **42.** ἐὰν δὲ τῷ λέγειν ὑπὲρ ἑτέρου διαβληθῇς, λέγε ἢ ὅτι φίλος ἢ ὅτι ἐπιεικὴς ἢ ὅτι ἰδιώτης ἢ ὅτι ἐλεεινός, ἢ ὅτι σοὶ κἀκείνῳ κοινὸς ὁ ἀγών, ἢ ὅτι συμφέρει τῇ πόλει, ἢ καὶ νὴ Δία τὰ πλείονα τούτων ἅμα. **43.** χρήσιμον δὲ διὰ τὸ νέον εἶναι εἰς παίδευσιν ἀναφέρειν ἢ γένεσιν, καὶ ⟨εἰπεῖν⟩ ὅτι οὐδὲν κωλύει καὶ τοὺς νέους εἰδέναι τι τῶν χρησίμων, ὡς ὁ παρ' Ἰσοκράτει Ἀρχίδαμος. **44.** ἐὰν δὲ παλαιός, λέγε ὅτι (**45.**) οὐ δεῖ τοῦτο μέμφεσθαι, ἀλλ' εἰ πεποίηκε τοῦτο δεικτέον, ἢ εἰ μὲν ἔστιν ἀληθῆ ἀλλ' οὔτι καθόλου, λέγε. πρὸς μὲν γὰρ τὰ διαβεβλημένα πάνυ πειρῶ προάγειν ἀπολογίαν, ἣν ἂν δύναιο, εἰ δὲ μή, πάρες τὸν περὶ τούτου λόγον· ἐγχωρεῖ γὰρ καὶ τὸν κατήγορον ἔλαττον ἢ πρὸς πίστιν εἰρηκέναι. τὰ δὲ σαθρότερα ἀνατρέπειν πειρῶ.

46. Ἔστι δὲ ἡ διήγησις κατὰ Νεοκλέα ἡ δικανικὴ ἔκθεσις πραγμάτων εἴς τινα προκειμένην ζήτησιν ἀνηκόντων ἢ νὴ Δία περιστάσεως ἔκθεσις εἴς τινα ζήτησιν ἀνηκούσης. **47.** οὔτε δὲ τῶν ἐνεστώτων φησὶ διήγησιν εἶναι οὔτε τῶν μελλόντων, ἀλλὰ τῶν μὲν ἐνεστώτων ἔνδειξις, ὡς [ἐν] τῇ Ἀντιγόνῃ δεικνὺς τοὺς ἥρωας, τῶν δὲ μελλόντων πρόρρησις. **48.** Ζήνων δὲ οὕτω φησί· διήγησίς ἐστι τῶν ἐν τῇ ὑποθέσει πραγμάτων ἔκθεσις εἰς τὸ ὑπὲρ τοῦ λέγοντος πρόσωπον ῥέουσα. **49.** Θεόδωρος δὲ οὕτως ὁρίζεται· διήγησίς ἐστι πράγματος αὐτοτελοῦς κατὰ ψιλὴν ἀπόδοσιν ἔκθεσις περὶ τῶν ἤδη γεγονότων. τοῦτον τὸν ὅρον Ἀλέξανδρος ἀκριβῆ μὲν εἶναί φησιν, οὐ μὴν πολιτικὸν οὐδὲ ῥητορικόν· δεῖ γὰρ σαφέστερον τὰ τοιαῦτα ὑπογράφειν. **50.** Ἀπολ-

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43 5–6 χρήσιμον – ἀναφέρειν] ἐὰν δὲ διὰ τὸ νέος εἶναι ⟨διαβληθῇς⟩ εἰς π. ἀνάφερε K. | †νέον – γένεσιν† Gr. | δὲ διὰ Seg. δὲ καὶ *A* | εἶναι post νέον Seg. post ἀναφέρειν *A* || 6 add. Kennedy. **44** 8 post ὅτι lac. posuit Gr. **45** 8 τοῦτον *A*, corr. Sp. τούτων Seg. cf. 50 || 9 μὲν Sp. μὴ *A* quod del. Wilam. καὶ Fi. | οὔτι] οὐ τὸ Wilam. || 10 προσάγειν Wilam. || 11 τούτων Wilam. **46** 14 κατὰ ⟨μὲν⟩ Gr. **47** ὡς ⟨ποιεῖ ὁ παρ' Εὐριπίδῃ⟩ Gr. coll. 2.198.6 W. | 18 del. Gr. coll. 2.198.6 W. ὁ Fi. | προρρήσεις *A*, corr. Seg. **48** 20 προσώπου ⟨μέρος⟩ ῥέουσα Gr. coll. 3.450.23 Sp. πρόσφορον ῥέπουσα Sau. προσοῖσον ῥέπουσα Seg. **49** 22 ⟨κατὰ⟩ τοῦτον K. || 23 πολιτικὸν Fi. πομπικὸν *A* | πομπικὴν . . . ῥητορικὴν K. (scil. τὴν διήγησιν)

this fact and announce you are going to show that you are speaking the truth, as did Demosthenes: "Now I am not unaware that Charidemus. . . ."[49] **42.** But if you are attacked for speaking on behalf of another, say either that he is a friend or a fine person or unskilled in speaking or deserving pity, or that you are involved with him in the case, or that your action benefits the city, or, by Zeus, several of these at the same time.[50] **43.** It is also useful, because of youth, to refer to education or lineage,[51] and to say that nothing prevents even young men from knowing something useful, as Archidamus does in the speech by Isocrates.[52] **44.** But if you are old,[53] say that (**45.**) there is no need to criticize this, but one should show whether he has done the action alleged, or if it is true but not absolutely, say so. Try by all means to bring out an explanation in reply to prejudicial attacks,[54] if you can, but if not, leave discussion about this aside; for it even creates the possibility that the accuser has spoken less than persuasively. But try to refute his more unsound statements.

46. According to Neocles,[55] the narration in a judicial speech is an exposition of matters pertaining to some proposed question or, by Zeus, an exposition of the circumstances pertaining to some question. **47.** He says no "narration" of present circumstances exists nor of future ones, but (instead) there is a "pointing out" of present circumstances, like that describing the heroes to Antigone,[56] and a "foretelling" of future events. **48.** But Zeno[57] says as follows: A narration is an exposition of the facts in the hypothesis contributing to the role (in declamation) taken on the part of the speaker. **49.** And Theodorus defines it as follows: A narration is an exposition of a subject complete in itself by a bare statement of things that have already happened.[58] Alexander says this definition is accurate but not the meaning of the term in political speech or rhetoric; for it is necessary to describe it more clearly in such uses.[59] **50.** Apollodorus (defines it) thus:

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[49] Demosthenes 23.6.

[50] Cf. Quintilian 4.1.7.

[51] I.e., as explanations of ability and willingness to speak. The text here is not entirely satisfactory and some words may be lost. The topic seems more relevant to the prooemion; cf. Apsines 1.37.

[52] Isocrates 6.4.

[53] I.e., impersonating an old man in a declamation.

[54] *Diabolai*; cf. Apsines 2.13 and note thereon.

[55] See Introduction.

[56] Euripides, *Phoenician Women* 119–181.

[57] Zeno of Athens, a rhetorician of the mid-second century mentioned by Philostratus, *Lives of the Sophists* 607, and a major source for the Latin rhetorical treatise by Sulpitius Victor (*Rhetores Latini Minores* ed. Halm, pp. 314–52); he is quoted again §156. The Byzantine encyclopedia *Suda* atttributes to him an *Art of Rhetoric* and works on stasis, figures, Xenophon, Lysias, Demosthenes, and invention in epic poetry. Cf. Graeven p. xxix.

[58] Theodorus, fragment 10a ed. Granatelli; cf. Apsines 3.1.

[59] Alexander continues to be the source of §§49–63. He is named again in §62; note the use of "we" in §§56, 58–59, and 63.

λόδωρος δὲ οὕτως· διήγησίς ἐστι περιστάσεως ἔκθεσις. μέμφεται δὲ Ἀλέξανδρος τοῦτον· ἡ γὰρ περίστασις ἄθροισμα προσώπων καὶ πράξεων καὶ παθῶν καὶ αἰτιῶν καὶ ἀφορμῶν καὶ χρόνων ἐστίν, αἱ δὲ διηγήσεις πολλάκις ἑνὸς τούτων εἰσίν, οὐ πάντων. **51.** ὅθεν Ἀλέξανδρος ὁρίζεται αὐτὴν οὕτως· διήγησίς ἐστιν ἔκθεσις καὶ παράδοσις τῷ ἀκροατῇ τοῦ πράγματος οὗ κοινούμεθα αὐτῷ.

52. Διττῆς δὲ τῆς διηγήσεως οὔσης, τῆς μὲν γενικῆς τῆς δὲ εἰδικῆς, τὴν μὲν γενικὴν οὕτως ὁρίζονται· διήγησίς ἐστιν ἀπαγγελία πραγμάτων ⟨γεγονότων ἢ ὄντων ἢ μελλόντων, ἡ δὲ εἰδικὴ ἀπαγγελία πραγμάτων⟩ γεγενημένων ἢ ὄντων ἐπὶ κριτοῦ ἢ κριτῶν, ὑπὲρ ὧν δεῖ φέρειν τὰς ἀποδείξεις· τῆς δὲ εἰδικῆς ἀποδόσεις αἱ προλαβοῦσαι.

53. Ἔστι δὲ τῶν διηγήσεων εἴδη ταῦτα· αἱ μὲν γὰρ αὐτῶν εἰσιν ἀληθεῖς, αἱ δὲ πεπλασμέναι, καὶ αἱ μὲν ἐπὶ κριτῶν λεγόμεναι, αἱ δὲ καθ' ἑαυτάς. **54.** καὶ τῶν καθ' ἑαυτὰς αἱ μέν εἰσι βιωτικαί, αἱ δὲ ἱστορικαί, αἱ δὲ μυθικαί, αἱ δὲ περιπετικαί. **55.** τῶν δὲ ἐπὶ κριτῶν αἱ μὲν κατὰ τὸ ἀμφισβητούμενον αὐτὸ συνίστανται, αἱ δὲ πρὸς ἰδίας διηγήσεις τῆς ὑποθέσεως λέγονται, αἱ δὲ παρεμπίπτουσι πίστεως ἕνεκεν ἢ αὐξήσεως ἢ διαβολῆς ἢ ἄλλου τινὸς τοιούτου, ἅστινας καὶ παραδιηγήσεις τινὲς καλοῦσιν. **56.** ἔτι τῶν ἐπὶ κριτῶν διηγήσεων ἃς μὲν ἡμεῖς προηγουμένως εἰσάγομεν, ἃς δὲ τῶν ἀντιδίκων εἰσαγόντων ἑτέρως ἐπαγομένας αὐτοὶ ἀντιδιηγούμεθα, παρ' ὃ καὶ ἀντιδιηγήσεις προσαγορεύονται. ἀντιδιηγούμεθα δὲ ἢ τὸ καθόλου τῇ τῶν ἀντιδίκων

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52 9.10 add. Fi. coll. 7.729.27 W. **54** 14.15 αἱ δὲ ἱστ. – μυθυκαί del. aut post 13 πεπλασμέναι K. **55** 16.17 αἱ – ὑποθέσεως] καὶ ἴδιαι τῆς ὑποθέσεως K. αἳ δὴ [πρὸς] εἰδικῶς δ. [τῆς ὑποθέσεως] Wilam. **56** 20 εἰσαγαγόντων Gr.

Narration is an exposition of the circumstances.[60] Alexander criticizes this; for the "circumstance" is a combination of persons and actions and emotions and causes and resources and times, but narrrations often deal with one of these, not all. **51.** As a result, Alexander defines it as follows: A narration is an exposition and transmission to the hearer of the subject which we are sharing with him.[61]

52. Since "narration" is used in two senses, one as genus, the other as species, they[62] define the genus "narration" as follows: "Narration" is a report (of things that have taken place or are now existing or are going to come to pass; and narration as species is a report of things)[63] that have taken place or are now existing for which there is need to supply evidence to a judge or judges; and statements that relate to matters to be discussed later are characteristic of the species of narration.

53. The species of narration are as follows: some of them are true, some fictitious;[64] some are spoken to judges, some (are composed) for their own sake. **54.** Of those (composed) for their own sake, some are descriptions of life, some are historical, some mythical, some concern the vicissitudes of fortune.[65] **55.** Of those addressed to judges, some are an integral part of the issue being debated, some are spoken to give particular accounts of the hypothesis,[66] some, which they call *paradiēgēseis*, creep in to increase belief or for amplification or prejudice or something else of that sort. **56.** Further, of narrations for the judges, we introduce some antecedently, but others are our own counter-narrations brought up when the opponents present (the facts) differently, and are thus labeled *antidiēgēseis*. We give a counter-

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[60] Apollodorus, fragment 7b ed. Granatelli; cf. Quintilian 4.2.31, who finds Apollodorus' definition acceptable but whose own definition is "an exposition of something done, or claimed to have been done, useful for persuading."

[61] Alexander avoids reference to the "circumstances" and the "facts" and introduces the presence of a "hearer." The narration in rhetoric is an account by a speaker of what he wants the audience to know or believe about the subject under dispute.

[62] "They" have not been identified. Cicero, *On Invention* 1.27, and *Rhetoric for Herennius* 1.12 identify three *genera* of narrations: one in which a speaker sets out facts so as to win a decision in a trial; one used to win belief, incriminate an opponent, or as a transition in a speech; and narration as an exercise in composition in grammar schools. Apsines 3.3 distinguishes *diēgēsis* as a part of an oration from *aphēgēsis*, narrative elsewhere in a speech.

[63] The words in parenthesis are lacking in the manuscript but seem needed; they were supplied by Finckh from anonymous scholia in Walz VII p. 729.

[64] Cicero, *On Invention* 1.27, and *Rhetoric for Herennius* 1.13 identify three "parts" of narrations: *fabula, historia, argumentum*. Cf. Aristotle's division of examples into historical and mythical, *Rhetoric* 2.20.1. Quintilian 4.2.19 includes among *ficta* imaginative descriptions that are not strictly relevant to the case. In declamations on historical themes the narration could be said to be "true" (though declaimers often took liberties); in declamations with imaginary characters a narration was fictitious.

[65] These include any narrative literature.

[66] These would include discussion of the individuals involved in a case and identified in the hypothesis; cf. Quintilian 4.2.15–16

διηγήσει ἀνθιστάμενοι ἢ κατὰ μέρος ἕκαστον. **57.** ὅταν μὲν οὖν ἐμπέσῃ ἡ τῶν πραγμάτων διήγησις, τότε ἐμπεσεῖται παραδιήγησις ἐπιχειρημάτων μὲν ἔχουσα τόπον, πιθανὸν δέ τι συμφερομένη. εἴδη δὲ τῶν παραδιηγήσεων τρία, προδιήγησις, παραδιήγησις, ἐπιδιήγησις. **58.** καὶ προδιήγησις μέν ἐστιν ὅταν πρὸ αὐτοῦ τοῦ πράγματος ἔξωθεν ἕτερόν τι διηγησώμεθα, ὥσπερ ἐν τῷ κατὰ Τιμοκράτους· "ἐγὼ γάρ, ὦ ἄνδρες Ἀθηναῖοι, προσέκρουσα ἀνθρώπῳ πονηρῷ". **59.** παραδιήγησις δ' ὅταν περὶ τὸ αὐτὸ πρᾶγμα ἕτερα διηγησώμεθα, ὡς ἐν τῷ κατὰ Μειδίου· "ἐγένοντο ἐπιδόσεις εἰς Εὔβοιαν", καὶ τὰ ἑξῆς. **60.** ἐπιδιήγησις δ' ὅταν μετὰ τὰς πίστεις ἢ τὸν ἐπίλογον διηγησώμεθα. **61.** ἰστέον δὲ τοῦτο, ὡς τὴν παρέκβασίν τινες ταὐτὸν εἶναι ὑπέλαβον τῇ παραδιηγήσει, διαφέρει δέ· ἡ μὲν γὰρ παραδιήγησις, ὥς φασιν, ἐφάπτεταί τινων παρὰ τὸ πρᾶγμα, ἡ δὲ παρέκβασις ἐκδρομή ἐστι λόγων καθ' ὁμοίωσιν ἢ μίμησιν τῶν γεγονότων. **62.** περὶ δὲ τῆς παρεκβάσεως Ἀλέξανδρος ἀντιλέγει· γελοῖον γάρ ἐστι, φησί, τὸ λεγόμενον· εἰ μὲν γὰρ ἐξ αὐτοῦ τοῦ πράγματός ἐστι τὸ λεγόμενον, πῶς ἐστι παρέκβασις; εἰ δὲ ἔξωθεν, πῶς ἐροῦμεν τὰ ἔξωθεν τῆς ὑποθέσεως;

63. Ἐπειδὴ δὲ τῆς διηγήσεως τὰς ἀρετάς φαμεν τήν τε συντομίαν καὶ τὴν σαφήνειαν καὶ τὴν πιθανότητα, καιρὸς ἂν εἴη λέγειν περὶ ἑκάστης, καὶ ἄγε περὶ συντομίας λέγωμεν, πόθεν ἔσται σύντομος.

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59 8 παρ' αὐτὸ τὸ Sp. **60** 10 ὅταν ⟨***⟩ Fi. | ὅταν – διηγησώμεθα del. Wilam. **63** 18 τὰς] τρεῖς Wilam. ‖ 19 λέγομεν *A*, corr. Seg. ‖ 20 σύντομος ⟨ἡ διήγησις⟩ K.

narration when we oppose the narration of the opponents either as a whole or in each part. **57.** Whenever, then, a narration of the facts occurs, then a paradiegesis will occur, providing a topic for enthymemes and containing something persuasive. The species of paradiegeses are three: prodiegesis, paradiegesis,[67] epidiegesis.[68] **58.** It is prodiegesis whenever we narrate something else external to the fact before the fact itself, as in (Demosthenes' speech) *Against Timocrates*: "For, men of Athens, since I have had an encounter with a wicked man. . . ."[69] **59.** It is paradiegesis whenever we narrate other facts with the main fact, as in *Against Meidias*: "Contributions were made to Euboeia . . .," and so on.[70] **60.** And epidiegesis whenever we give a narration after the proofs or in the epilogue.[71] **61.** One should know that some have supposed that the digression (*parekbasis*) is the same thing as the paradiegesis,[72] but it differs; for the paradiegesis, as they say, seizes on things beyond the subject, but the digression is an excursus of words in terms of comparison or imitation of things that have happened. **62.** On the subject of the digression Alexander has the following criticism: The term is ridiculous, he says: if what is being said is drawn from the subject itself, how is it a digression? But if from outside, how shall we speak about what is external to the hypothesis (of the speech)?

63. Since we say that the virtues of the narration are brevity and clarity and persuasiveness,[73] this would be an opportunity to speak about each, and, come, let us speak about brevity: Whence will (the narration) be brief?[74]

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[67] In a general sense, paradiegesis is any narration outside the facts of the case; in a narrow sense, paradiegesis is such a narration when introduced side by side with the narration of the facts of the case.

[68] According to Aristotle (*Rhetoric* 3.13.5), the terminology for the parts of a narration, which he scorned, originated with "the followers" of Theodorus of Byzantium (c. 400 B.C.), who distinguished prodeigesis, diegesis, and epidiegesis; cf. Martin, p. 77. The earliest occurrence of *paradiēgēseis* seems to be in Quintilian 9.2.107; cf. also Rufus 23 (Sp.-Ha. I ii p. 403); *antidiēgēsis* occurs only here and in Fortunatianus 2.19, but probably all these terms were in use by rhetoricians of the early empire.

[69] Demosthenes 24.6.

[70] Demosthenes 21.161.

[71] Thus a prodiegesis may occur in a prooemion, a paradiegesis in a narration, and an epidiegesis in proof or epilogue.

[72] According to Cicero (*De Inventione* 1.97), Hermagoras of Temnos (2nd century B.C.) regarded digression as a distinct part of a speech, following the refutation and before the epilogue. In major orations of Attic orators and Cicero a digression on the character of those involved is not uncommon at this point; cf. James Day, *Trials of Character* (Univ. of North Carolina Press, 1988) pp. 28–29. Quintilian 4.2.19 mentions *digressio* as a possible feature of a fictive narration. Cf. Martin, pp. 89–91.

[73] *Aretai tēs diēgēseōs*, Latin *virtutes narrandi*. According to Quintilian (4.2.31), the doctrine of three virtues was characteristic of "the followers of Isocrates." The virtues are often discussed in handbooks; cf., e.g., *Rhetoric for Alexander* 30; Cicero, *On Invention* 1.28; *Rhetoric for Herennius* 1.14. Apsines 3.1 mentions only persuasiveness and clarity. Aristotle (*Rhetoric* 3.16.4) complained that requiring a narration to be "rapid" (= brief?) is ridiculous.

[74] On securing brevity, cf. *Rhetoric for Alexander* 30; *Rhetoric for Herennius* 1.14; Cicero, *On Invention* 1.28 and *On the Orator* 2.326; Quintilian 4.2.40–51.

64. τῆς συντομίας τοίνυν ἡ μὲν ἐν τοῖς πράγμασιν, ἡ δὲ ἐν ταῖς λέξεσιν. ἐκ μὲν οὖν τῶν πραγμάτων σύντομον ποιήσεις τὴν διήγησιν, (**65.**) ἐὰν μήτε πόρρωθεν ἄρχῃ, καθάπερ ἐν τοῖς προλόγοις πεποίηκεν Εὐριπίδης, μήτε μακρὰ λέγῃς, ὡς οἱ μετὰ τὸ πρᾶγμα καὶ ἄλλα διηγούμενοι, (**66.**) τὰ δὲ λυποῦντα τοὺς ἀκούοντας καὶ τὰ ἀπίθανα καὶ ἀπρεπῆ τῷ λέγοντι, καὶ οἷα μὴ ὠφελεῖν τὸν ἀγῶνα, οἷά τέ ἔστι καὶ ἐν ἑτέροις ῥηθῆναι [δύνανται], ⟨ἐὰν⟩ ἀφέλῃς ταῦτα τῆς διηγήσεως, σύντομον ἐκ τούτων ποιήσεις τὸν λόγον. **67.** ἔτι τε ἐὰν μήτε παρεκβάσει χρῷο μήτε ἐπεισοδίοις μήτε ὅλως ἀπὸ τοῦ πράγματος πλανῷο· **68.** ἔτι τε τὴν ταυτολογίαν εἰ παραιτοῖο, καὶ μακρὰ δι' ὀλίγων ἑρμηνεύοις καὶ τὰ τοιαῦτα λέγοις, ὧν ῥηθέντων φανερά ἐστι τὰ σιωπώμενα.

69. Ἐν δὲ ταῖς λέξεσιν ἔσται συντομία, ἐὰν μὴ συνωνυμίαις χρῷο, οἷον "πυκνοὶ καὶ θαμέες", ἢ ξίφος καὶ μάχαιρα· τούτων γὰρ ἕκαστον καὶ καθ' ἑαυτὸ πρὸς δήλωσιν ἀρκεῖ· (**70.**) καὶ ἐὰν τῶν συνωνύμων τὰς βραχυσυλλάβους ἐκλέγῃς, ὃ ἐπὶ πλήθους παραχωρούμενον χρήσιμον, οἷον ἀντὶ μαχαίρας ξίφος λέγων· (**71.**) καὶ ἐὰν μὴ τοῖς κυρίοις προστιθῇς τὰ ἐπίθετα, ὡς ὁ ποιητής, οἷον "ὑγρὸν ἔλαιον"· (**72.**) καὶ ἐὰν τὰς ἀναδιπλώσεις παραιτοῖο, οἷον "πόλεμον εἰς τὴν Ἀττικήν, εἰς τὴν Ἀττικὴν εἰσάγεις πόλεμον"· (**73.**) καὶ ἐὰν τὰς περιφράσεις φύγῃς, οἷον "βίη Ἡρακληείη"· (**74.**) καὶ ἐὰν τοῖς προπικοῖς ἐνίοις κυρίως χρῷο, ὥσπερ Δημοσθένης τῷ "ἀνεχαίτισε"· διὰ μιᾶς γὰρ λέξεως ὅλον ἐπλήρωσε νόημα. **75.** καὶ ἡ λεγομένη δὲ ἔλλειψις συντομίαν ἐργάζεται, οἷον "σὺ τοῦτον φιλεῖς καὶ οὗτος σέ"· λείπει γὰρ τὸ φιλεῖ. **76.** ἐργάζεται δὲ συντομίαν καὶ τὸ ἐπεζευγμένον, ὅταν δύο

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65 3 προλόγοις K. πολλοῖς *A* **66** 5 ⟨συντομίαν ποιήσεις καὶ ἐὰν⟩ τὰ[1] add. Gr. coll. 2.228.14 W. ‖ 6 ἐστι *A* (per compendium), corr. Kennedy ‖ 7 del. Kennedy δύναται 2.228.21 W. | add. Seg. | ταῦτα del. K. ‖ 7.8 ταῦτα et σύντομον – λόγον om. 2.228.21 W. **68** 10 τε] δὲ καὶ Gr. coll. 2.228.21 W. ‖ 11 ἑρημεύεις *A*, corr. Gr. coll. 2.228.21 W. | λέγεις *A*, corr. Seg. **69** 13 ἔσται] γίνεται Gr. coll. 2.228.21 W. ‖ 14 ἢ – μάχαιρα om. 2.228.21 W. **70** 15 συνωνυμιῶν Fi. ‖ 16 βραχυ⟨τέρας καὶ ὀλιγο⟩συλλάβους Gr. | ὃ – χήσιμον post 14 θαμέες K. **74** 21.22 ἐνίοις κυρίως] ἐνίοτε κυρίως Wilam. ἐν τοῖς κυρίοις Fi. ἐν τῷ καιρίῳ vel εὐκαίρως K. ‖ 22 τὸ *A*, corr. Seg. **76** 25 ⟨ἐπ⟩εργάζεται Seg. ⟨ἀπ⟩ Sp.

64. Well, some brevity is in the facts, some in the choice of words. Now you[75] will make the narration brief from the facts (**65.**) if you do not start from far back, as Euripides has done in his prologues, and do not give a long account, as do those narrating many other things as well as the fact, (**66.**) and (do not describe) things distressing the hearers and things that are improbable and inappropriate to the speaker, and whatever sort of things that do not advance the case and can be said in other speeches as well; if you omit these from the narration, you will make the speech brief as a result of the omissions. **67.** And further if you were not to use a digression or describe episodes or wander totally from the subject. **68.** And further if you were to avoid tautology and cast long events in few words and speak such things that, when they are said, things left silent are clear.

69. There will be brevity in style if you were not to use synonyms, like "thick and close-set,"[76] or "sword and dagger"; for each of these is even by itself sufficient for clarity; (**70.**) and if you choose synonyms with fewer syllables, which is a useful substitution for something longer, saying, for example, "sword" instead of "dagger"; (**71.**) and if you do not add epithets to common nouns, as the poet does, for example, "moist olive oil";[77] (**72.**) and if you were to avoid repetitions; for example, "War into Attica, you are bringing war into Attica";[78] (**73.**) and if you avoid periphrases like "Heraclean might";[79] (**74.**) and if you were to use some tropes in their proper meaning, as does Demosthenes with *anekhaitise*;[80] for with one word he filled out the whole thought. **75.** What is called "ellipsis" also works for brevity; for example, "You love him and he you," for (the speaker) omits "loves." **76.** Brevity also results from epizeugma, when you introduce a

[75] The change to the second person probably indicates a change from Alexander to Neocles as source of §§64–78.
[76] *Odyssey* 12.93.
[77] *Iliad* 23.281; *Odyssey* 6.79.
[78] Attributed to Aeschines in Demosthenes 18.143.
[79] *Iliad* 2.658 and elsewhere, meaning simply "Heracles."
[80] Properly of a horse that rears and throws the rider; metaphorically, "he upset"; cf. Demosthenes 2.9.

ἢ καὶ τρισὶν ὀνόμασιν ἢ καὶ πράγμασι μίαν ἐπάγῃς λέξιν συμπληρωτικήν, οἷον "Ῥοδίους μὲν συμμάχους ὄντας, Βυζαντίους δὲ συγγενεῖς, Τενεδίους δὲ πεποιημένους ἰσοπαλίαν, πλείους δὲ ἄλλους συμμάχους εὐεργέτησαν". **77.** πολεῖ δὲ καὶ τὸ ἀσύνδετον δόξαν συντομίας, οἷον "ἀλλ' ἐπειδὴ τὰ πλοῖα σεσύληται, Χερρόνησος ἐπορθεῖτο", καὶ τὰ ἑξῆς. **78.** ποιήσεις δὲ συντομίαν καὶ ὅτε κατ' ἔμφασιν παραλείψεως λέγεις, ὡς ὁ Δημοσθένης· "ἐπειδὴ γὰρ εἷλεν Ὄλυνθον Φίλιππος"· διὰ γὰρ τοῦ εἷλεν πολλὰ ἐδήλωσεν.

79. Σαφήνειαν δὲ εὖ φασι δεῖν παραφυλάττεσθαι, κἂν ἐναντία τισὶ τῶν εἰς τὴν συντομίαν θεωρημάτων λέγειν δόξωμεν· ἡ μὲν γὰρ τέχνη καθ' ἕκαστον τελείως ἐκπληροῦν τὸν τόπον ἀναγκάζει, ὁ δὲ τεχνίτης πρὸς τὸ συμφέρον αὐτῷ χρήσεται. **80.** ἐπειδὴ δὲ περὶ σαφηνείας πρόκειται λέγειν, ῥητέον περὶ ἀσαφείας· δυνησόμεθα γὰρ τοὺς ἐκείνης φυγόντες τόπους σαφῆ ποιῆσαι τὸν λόγον. ἀσάφεια τοίνυν, ὡς μὲν καθόλου, διχῶς γίνεται· ἢ γὰρ ἐν λέξεσίν ἐστι τὸ ἀμφισβητούμενον ἀσαφὲς ἢ ἐν πράγμασιν· ὡς δὲ κατὰ μέρος πολλαχῶς. τὸ μὲν οὖν ἐκ πραγμάτων ἀσαφὲς οὕτως γίνεται, (**81.**) πρῶτον μὲν ὅταν τὰ πράγματα τὰ λεγόμενα τὴν κοινὴν ἐκφύγῃ γνῶσιν, οἷα τὰ ἐν τῇ διαλεκτικῇ καὶ τὰ ἐν γεωμετρίᾳ. **82.** δεύτερον, ὅταν συγχέωμεν τὴν τάξιν τῶν γεγονότων, ὡς τὰ μὲν πρῶτα τελευταῖα εἶναι, τὰ δὲ τελευταῖα προτετάχθαι· οἰκονομίας δὲ τὰ τοιαῦτα πολλάκις ἐπέχει χρείαν, δυσπαρακολούθητον δὲ ὅμως καὶ ἀσαφῆ τὸν λόγον ποιεῖ. ποιεῖ δὲ ἀσαφῆ τὸν λόγον καὶ τὸ τῶν αὐτῶν πολλάκις μεμνῆσθαι· μακρὸν γὰρ τοῦτο καὶ ὀχληρόν, εἰ μὴ ἄρα ταῖς ἐργασίαις αὐτὸ διαχειρισόμεθα, καὶ νῦν μὲν ὡς γινώσκοντες λέγομεν, αὖθις δὲ ὡς συγκεφαλαιούμενοι, ἑτέρωθι δὲ ὡς ἀναμιμνῄσκοντες· τὸ γὰρ ὀχληρὸν οὕτως ἐκφεύξῃ. **83.** τρίτον, ὅταν παραλείψωμέν τινα τῶν πραγμάτων.

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76 2 Βυζαντίους – 4 εὐεργέτησαν] Βυζαντίους μὲν συγγενεῖς ὄντας, Ῥοδίους δὲ εὐηργετηκότας, Τενεδίους δὲ ἰσοπολιτείαν πεποιημένους Ἠλείους δὲ συμμάχους ὄντας εὐηργέτησα Gr. coll. 2.233.13 W. ‖ 3 δὲ[1] Sp. τε *A* **77** 4 συντομίαν (δόξαν omisso) 2.233.13 W. ‖ 5 σεσύλητο *A*, corr. Sp. ex D. 19.139 **78** 6 ὅτε Sp. οὔτε *A* εἰ Seg. **79** 9 εὖ Sp. οὐ *A*, quod del. Wilam. | κἂν Wilam. ἐὰν *A* ἐὰν ⟨καὶ⟩ Sau. ‖ 11 ἕκαστα *A*, corr. Seg. **80** 14 σαφὲς *A*, corr. Gr. coll. 2.219.8 W. **81** 17 ὅτι *A*, corr. Seg. **82** 22 ἀσαφὴ τὸν λόγον] ἀσάφειαν 2.219.15 W. ‖ 24 ὀχληρόν ἐστιν 1.261.8 W. ‖ 24.25 μεταχειρισόμεθα 2.219.17 W. ‖ 25 γινώσκοντες] ἐπιδεικνύοντος 1.261.9 W. ‖ 25.26 ἀνακεφαλαιούμενοι 1.261.10 W.

single word that governs two or three names or also things; for example, "They benefited Rhodians who were allies, and Byzantines who were their relatives, and Tenedians who had made an equal contest, and many other allies."[81] **77.** Asyndeton, too, creates an impression of brevity; for example, "But when the ships had been seized, the Chersonese was being plundered," etc.[82] **78.** You will create brevity also when you speak with a pregnant omission,[83] as Demosthenes does: "For when Philip took Olynthus"; for he made much clear by "took."[84]

79. But they[85] well say that it is necessary to preserve clarity, even if we seem to contravene some of the rules for brevity; for the art (of rhetoric) enjoins exhausting a topic in each case completely, but the artist uses a topic for what is advantageous. **80.** Since the subject of discussion is clarity, something must be said about obscurity; for by avoiding the topics of obscurity we shall be able to make the speech clear. Obscurity then, taken as a whole, occurs in two ways; for something in doubt is unclear either in style or in subject; and when taken separately it occurs in many ways. Obscurity from the subject occurs as follows: **81.** First, when the things being discussed escape common knowledge, as do things in dialectic and geometry.[86] **82.** Second, whenever we confuse the order of events, so that first things are mentioned last and last things put earlier. Such forms of arrangement often have their utility, but nevertheless it is hard to follow and makes the speech unclear. Mentioning the same things often also makes the speech unclear; for this is long-winded and tiresome, unless, of course, we manage it by the treatments[87] (we give each occurrence), and now speak as explaining the subject, again as summarizing it, and elsewhere as reminding the hearers; for in this way the tiresomeness is avoided. **83.** Third, whenever

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[81] Source unknown; a better example of epizeugma could be found. A fuller version is given in Walz II p. 233.

[82] Demosthenes 18.139.

[83] Literally, "by emphasis of paraleipsis." "Emphasis" in classical rhetoric is a figure in which a word means more than it seems to say.

[84] Demosthenes 19.192. Philip not only "took" but totally destroyed the city.

[85] Perhaps the Theodoreans, often more flexible about rules than the Apollodoreans. Graeven regarded Neocles as the source of §§79–87, but the use of "we" in §82ff. suggests Alexander as the source of §§79–84. Aristotle (*Rhetoric* 3.2.1) calls clarity the "virtue" of all style; much later discussion of the virtues of style (correctness, clarity, ornamentation, and propriety) is indebted directly or indirectly to Theophrastus' lost treatise *Peri lexeōs*. On securing clarity, cf. *Rhetoric for Alexander* 30; *Rhetoric for Herennius* 1.15; Cicero, *On Invention* 1.29 and *On the Orator* 2.329; Quintilian 4.2.36–39.

[86] This and other statements in the discussion of clarity closely resemble what is said by Aelius Theon in his chapter on narration as a *progymnasma*; cf. Spengel, II p. 80. Theon probably wrote in the first cent. after Christ and was drawing on a lost source (Theophrastus?) which was also a source for the Anonymous' immediate (second-century) source.

[87] *Ergasia*, in rhetoric the "working out" of a passage or a speech.

84. τέταρτον, ὅταν ἐπεισάγωμεν ἔξωθεν μακρὰ καὶ ἀπηρτημένα τοῦ πράγματος.

85. Τὸ δὲ ἐκ τῶν λέξεων ἀσαφὲς οὕτως· ὅταν ξένοις καὶ τροπικοῖς καὶ ἀμφιβόλοις καὶ γλωσσηματικοῖς ὀνόμασί τις χρῷτο καὶ τῇ συνθέσει μὴ ἁπλῇ καὶ κατὰ φύσιν, ἀλλὰ δι' ὑπερβάτων καὶ μήκους περιόδων καὶ ἀλληγορίας. **86.** ποιεῖ δὲ καὶ ὀνοματοποιΐα ἀσάφειαν, ὡς τὸ "σίζεν ὀφθαλμός" παρ' Ὁμήρῳ· **87.** καὶ ἡ διάρθρωσις, οἷον "Ἀλέξανδρος ὁ Πάρις, Ἀλέξανδρος ὁ Φιλίππου". **88.** ποιήσεις δὲ ἀσάφειαν καὶ ἐὰν τὰς ἀκολουθίας διαλύσῃς ἀλόγοις διηγήμασι, καὶ τὰ μὲν ὑπερβαίνῃς, τὰ δὲ παρὰ τάξιν τιθῇς. οὕτως δὲ αὐτά τις ποιήσει τὸν δικαστὴν ἀπατῆσαι βουλόμενος τῇ ἀνακολουθίᾳ.

89. Πιθανὴ δὲ διήγησις γίνεται, εἰ πάντα, ὅσα λέγει τις, ἐξομοιοῦν πειρῷτο τοῖς ἀληθέσι. τοῦτο δέ, φησί, γένοιτ' ⟨ἄν,⟩ (**90.**) ἐὰν μὴ ψιλὰ τὰ πράγματα τιθῶμεν, ἀλλὰ καὶ τὰ μόρια αὐτῶν προσλαμβάνωμεν, ἐξ ὧν ἡ διήγησις πληροῦται. μόρια δὲ διηγήσεως πρόσωπον, πρᾶγμα, τόπος, ⟨τρόπος,⟩ χρόνος, αἰτία· (**91.**) πρὸς τούτοις, εἰ ἀλλήλοις ὁμολογεῖ τὰ λεγόμενα καὶ μὴ διαφωνεῖ ἢ μάχεται· (**92.**) ἔπειτα, ἐὰν μὴ ψιλὰ τιθῶμεν τὰ μόρια, ἀλλ' ἀκριβῶς ἕκαστα διηγώμεθα, ὥσπερ ἐν τῷ κατὰ Μειδίου· "ἰσχυρὸς ἦν, μέλας". **93.** ἐφ' ἅπασι δὲ τούτοις αἰτίαν προσθετέον· ἐπακτικώτατον γὰρ αὕτη πρὸς πειθώ. **94.** ποιεῖ δὲ πιθανότητα καὶ τὸ τοῦ λέγοντος ἦθος καὶ πάθος. καὶ τὸ μὲν ἦθος, φησίν, εἰ ἄπλαστον φαίνοιτο, τὸ δὲ πάθος οὐ μόνον πείθει, ἀλλὰ καὶ ἐξίστησι. **95.** ποιεῖ δὲ πιθανότητα καὶ περὶ αὑτοῦ μὲν κακόν τι εἰπεῖν μικρόν, περὶ δὲ τοῦ ἀντιδίκου ἀγαθὸν ὁμολογούμενον, ὡς Αἰσχίνης· "τούτῳ πατὴρ μὲν ἦν ἐλεύθερος ἀνὴρ Δημοσθένης, οὐ γὰρ δεῖ ψεύδεσθαι". **96.** συνεργεῖ δὲ πρὸς πειθὼ καὶ ἡ ἐνάργεια. ἔστι δὲ ἐνάργεια λόγος ὑπ' ὄψιν ἄγων τὸ δηλούμενον. **97.** ποιεῖ δὲ πειθὼ καὶ λέξις

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84 1 ἐπεισαγάγωμεν 2.219.21 W. **87** 7 ἡ ⟨ὁμωνυμία, εἰ λείπει ἡ⟩ Gr. ‖ 8 φίλιππος *A*, corr. Seg. **88** 9 διακωλύσῃς εὐλόγοις *A*, corr. Gr. coll. 2.219.29 W. ‖ 11 ἀκολουθία *A*, corr. Seg. **89** 13 add. Sp. coll. 1.261.28 W. **90** 14 αὐτῶν Gr. coll. 1.261.29 W. αὐτὰ *A* ‖ 15 διηγήσεώς ἐστι 1.261.29 W. ‖ 16 add. Fi. coll. 2.234.8 W. **92** ¶92 ante ¶91 poni iussit Sp. ‖ 18 ἕκαστον 2.234.17 W. ‖ 19 μέγας *A*, corr. Sp. coll. D. 21.71. **93** 20 τὴν αἰτίαν 2.234.18 W. **95** 23 καὶ ⟨τὸ⟩ 2.234.18 W.

we leave out some of the facts. **84.** Fourth, whenever we bring in from outside long accounts that have nothing to do with the case.

85. Obscurity results from style (*lexis*) as follows: Whenever one uses foreign words and tropes and ambiguities and strange words and composition that is not simple and natural but employs hyperbata and long periods and allegory.[88] **86.** Onomatopoeia also creates obscurity, for example, in Homer, "the eye 'sizzled'";[89] **87.** and diarthrosis;[90] for example, "Alexander, the (one called) Paris, Alexander, the son of Philip." **88.** You will also create obscurity if you interrupt the sequence with illogical narrative, and extend some things too long, put others beyond their proper place. Someone who wants to confuse the judge by lack of coherence will compose in this way.

89. A narration becomes persuasive if (the speaker) tries to make everything he says resemble the truth.[91] This would be the case, he says,[92] (**90.**) if we do not set out bare facts but add the "parts" by which the narration is filled out. The "parts" of a narration are person, thing, place, manner, time, and cause;[93] (**91.**) in addition, if the things said agree with each other and are not dissonant or contradictory; (**92.**) moreover, if we do not simply present the parts but narrate each of them in detail, as in *Against Meidias*: "He was strong, dark. . . ."[94] **93.** One should add a reason for all the (actions described); (stating the reason) is most inducive of persuasion. **94.** The ethos and pathos of the speaker also create persuasiveness; the ethos, he says,[95] if it should seem unaffected, and pathos not only persuades but even transports (the hearer). **95.** It also creates persuasiveness to say some small bad thing about oneself and some acknowledged good thing about the opponent, as Aeschines does: "His father was a free man named Demosthenes, for there is no need to lie."[96] **96.** *Enargeia* also works for persuasion. Enargeia is speech bringing what is being explained before the eyes.[97] **97.** A style that is artless

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[88] Neocles is the probable source of §§85–88; note "you" in §88.
[89] *Odyssey* 9.394, of the eye of the Cyclops when struck by Odysseus' spear.
[90] I.e., differentiation.
[91] On securing persuasiveness, cf. *Rhetoric for Alexander* 30; *Rhetoric for Herennius* 1.16; Cicero, *On Invention* 1.29; Quintilian 4.2.52.60.
[92] Graeven regarded Neocles as the source of §§89–104; but Alexander is the last named source (§62). On the basis of the use of "we" and "you", §§89–97 probably derive from Alexander, 98–100 from Neocles, and 101–103 from Alexander.
[93] Cf. Quintilian 4.2.55. Theon (Spengel II p. 78) calls them *stoikheia*, "elements."
[94] Demosthenes 21.71, of Sophilus.
[95] Alexander.
[96] Aeschines 3.171, with minor changes.
[97] Cf. Dionysius of Halicarnassus, *Lysias* 7.

ἀνεπιτήδευτος καὶ τὸ αὐτοσχέδιον ἐμφαίνουσα. **98.** ποιήσεις δὲ πιθανότητα καὶ ἐὰν μὴ πάντα βεβαιῶν λέγῃς, ἀλλὰ προστιθῇς τὸ οἶμαι καὶ τάχα καὶ ἴσως καὶ τὰ τοιαῦτα. **99.** ἡδεῖαν δὲ ποιήσεις τὴν διήγησιν ἐὰν τοῖς οἰκείοις αὐτὴν ἤθεσι διαποικίλῃς καὶ γνώμας ἀναμίξῃς· ποιεῖ τε ἡδονὴν ἐνίοτε καὶ ἀρχαιολογία παραληφθεῖσα εὐκαίρως, ὡς παρ' Ὑπερίδῃ ὁ τῆς Λητοῦς μῦθος. ποιεῖ τε ἡδονὴν καὶ ἀστεϊσμός. **100.** μεγαλοπρεπῆ δὲ ποιήσεις τὴν διήγησιν ὑψηλῇ φράσει καὶ διῃρμένῃ καὶ τοῖς νοήμασι σεμνοῖς κεχρημένος καὶ τὰ ταπεινὰ φεύγων παραδείγματα καὶ τὰς αἰσχρὰς τῶν λέξεων.

101. Καὶ διηγήσεων μὲν ἀρεταὶ αὗταί τε καὶ τοσαῦται· εἰσὶ δὲ οἳ πρὸς ταύταις ταῖς τρισὶ καὶ μεγαλοπρέπειαν καὶ αὔξησιν καὶ ἡδονὴν καὶ προσήνειαν ἤτοι ἐπιείκειαν ἀρετὰς ἔφασαν διηγήσεως. περὶ μὲν οὖν ἡδονῆς καὶ μεγαλοπρεπείας ἔφθημεν εἰπόντες, αὔξησιν δὲ καὶ ἐπιείκειαν τί ἐστι πολλαχοῦ ἀκηκόαμεν. **102.** περὶ μέντοι συντομίας Ἀριστοτέλης ἐφίστησιν· εἰ γάρ ἐστι, φησίν, ἡ συντομία συμμετρία τῆς μήτε παραλειπούσης τι τῶν ἀναγκαίων μήτε πλεοναζούσης, ἀρετὴ γενήσεται· εἰ δέ ἐστιν ὥσπερ ἔνδεια τῆς ὑπερβαινούσης τι τῶν χρησίμων, ἐν ταῖς κακίαις μᾶλλον ταχθήσεται. **103.** ὁ δὲ Γαδαρεὺς Θεόδωρος τὴν πιθανότητα μόνην ἀρετὴν νομίζει τῆς διηγήσεως, τὰς δὲ προειρημένας ἀρετὰς ἰδίας μὲν μὴ εἶναι μόνης τῆς διηγήσεως, κοινὰς δὲ ἅπαντος τοῦ λόγου. **104.** Ἁρποκρατίων δὲ οὕτως γράφει· καὶ διηγήματος ἀρεταὶ ἐν μὲν τοῖς εὐπρεπεστέροις σαφήνεια, ἐν δὲ τοῖς σαθροῖς ἀσάφεια προβεβλημένη. πόθεν δὲ ἡ ἀσάφεια καὶ πῶς γίνεται, ἤδη δεδήλωται.

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99 4 ἤθεσι ⟨καὶ πάθεσι⟩ add. Fi. coll. 7.26.26 W. | γνώμαις *A*, corr. Fi. coll. 7.26.26 W. || 5 τε] δὲ Sau. **100** 7.8 ψιλῇ *A* . . . διηρημένῃ *A*, corr. K. **101** 10 διηγήσεως Gr. | οἱ *A*, corr. Sau. **102** 16 παραλιπούσης *A*, corr. Gr.

and seemingly improvised also creates persuasion. **98.** And you[98] will create persuasiveness also if you do not say everything definitely, but add "I think" and "perhaps" and "probably" and such like. **99.** And you will make the narration delightful if you decorate it with morally suitable characters and mix in maxims; and sometimes too an ancient tale, taken up in a timely way, creates delight, as does the myth of Leto in Hypereides.[99] And wit (*asteïsmos*)[100] also creates pleasure. **100.** You will make the narration grand (*megaloprepēs*)[101] by using lofty language and compound words and pious thoughts and by avoiding common examples and faults of style.

101. The virtues of narrations are these and this many; but there are those who have said that, in addition to these three, grandeur and amplification and delight and mildness or fairness are virtues of narration.[102] Now we[103] have already spoken about delight and grandeur, and we have heared from many sources what amplification and fairness is. **102.** As to brevity, however, Aristotle objects: "For," he says, "if brevity is moderation in not neglecting or in not over-elaborating anything necessary, it will be a virtue; but if it is, as it were, a lack of going beyond anything useful it will rather be numbered among vices."[104] **103.** Theodorus of Gadara thinks that persuasiveness is the only virtue of narration and that the other virtues just mentioned are not unique to narration but are common to the whole speech.[105] **104.** Harpocration writes as follows: "Clarity is the most important virtue of narration and among the vices obscurity is most to be rejected." Whence and how obscurity comes about has already been made clear.[106]

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[98] §§98–100 probably derive from Neocles.

[99] In his Delian Speech, fr. 1; see Burtt, *Minor Attic Orators* II p. 565, and Longinus, *On Sublimity* 34.2. As he notes below in §101, the author here begins discussion of additional virtues of narration.

[100] On *asteïsmos*, cf. Dionysius of Halicarnassus, *Demosthenes* 54; Longinus, *On Sublimity* 34.2; Alexander, *On Figures* 1.18. Aristotle discusses what he calls *asteia* in *Rhetoric* 3.10.

[101] The term for the grand style in Demetrius, *On Style* 36–127; the word was first used of style in Plato, *Symposium* 210d5. Cf. *megaloprepeia* in §101.

[102] Quintilian 4.2.61 attributes the requirement of grandeur and delight to Theodectes, presumably the fourth-century B.C. sophist and dramatist whose rhetoric was described in Aristotle's *Theodectea.* In *Topics* 97 Cicero adds *moderatae*, corresponding to mildness or fairness here, and *cum dignitate* to the traditional three virtues of narration. The treatises of Dionysius of Halicarnassus and Hermogenes show a general movement on the part of rhetoricians to define necessary and supplementary qualities of style, not restricted to the narration.

[103] §§101–3 probably derive from Alexander.

[104] This paraphrase of Aristotle, doubtless taken from an intermediate source, hardly makes sense as it stands. In *Rhetoric* 3.16.4 Aristotle says, "But nowadays they ridiculously say that the narration should be rapid (*tacheian*) . . . speaking well is not a matter of rapidity or conciseness but moderation, and that means saying just as much as will make the thing clear or as much as will make the audience suppose that something has happened or that harm has been done or injustice or that the facts are as important as you want." He does not refer to brevity as a vice of style.

[105] Theodorus, frag. 7 Granatelli.

[106] Cf. §88.

105. Τρόποι δὲ διηγήσεως ἑπτά· αὔξησις, μείωσις, εὐφημία, παράλειψις, ἐπανάμνησις, ἐπὶ τὸ κρεῖττον ἢ χεῖρον φράσις, ἐνάργεια· περὶ ὧν λεκτέον πῶς ἕκαστον μεταχειριστέον. **106.** αὔξησις μὲν οὖν γίνεται, ὡς Δημοσθένης ἐπὶ τῆς Ὀλυνθίας γυναικὸς πεποίηκε. **107.** μείωσις δέ, ὅταν σμικρύνων τι λέγῃς, ὡς Ἀριστοφάνης, οἷον τριηρίτη, βοιδάριον, κυναρίδιον. **108.** παράλειψις δέ ἐστι τῶν βλαπτόντων ἡμᾶς ἀμνηστία. ὀλιγάκις μὲν οὖν τελέως κατασιωπήσομεν, ἐὰν δὲ μὴ συγχωρώμεθα παρὰ τοῦ ἀντιδίκου, θέντες αὐτὰ παρὰ τάξιν ἐπιθολώσαντες ἐροῦμεν. **109.** ἐπανάμνησις δέ, ὡς ὁ Δημοσθένης· "οὗτος γάρ ἐστιν ὁ πρῶτος ⟨Ἀθηναίων⟩ αἰσθόμενος". **110.** ἐπὶ τὸ κρεῖττον δὲ φράσις ὅταν μικρὰ μεγάλως διηγώμεθα. **111.** περὶ δὲ ἐναργείας ἤδη προειρήκαμεν, ὅτι ἐστὶ λόγος ὑπ' ὄψιν ἄγων τὰ δηλούμενα, ὥσπερ Δημοσθένης· "ὅταν ἐπὶ κόρρης, ὅταν κονδύλοις", καὶ τὰ ἑξῆς. **112.** διαφέρει δὲ διήγησις καταστάσεως, ὅτι ἐν μὲν τῇ καταστάσει περὶ ὧν ἴσασιν οἱ δικασταὶ καθιστάμεθα, ἐν δὲ τῇ διηγήσει ἃ ἀγνοοῦσι διηγούμεθα. τοιγαροῦν καὶ τὰ ἐν τῷ κατὰ Μειδίου οὐ διήγησίν τινές φασιν εἶναι, ἀλλὰ κατάστασιν, οἷον τὸ "ἐπειδὴ γὰρ οὐ καθεστηκότος τοῦ χορηγοῦ". οὐκ ἔστι δέ, φασίν ⟨ἄλλοι⟩, οὐδέτερον, ἀλλὰ προβολὴ τοῦ ἀδικήματος διηγηματικῶς εἰσηγμένη, ἱκανῶς τοῦτο τοῦ ῥήτορος

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107 5 σμίκρυνον *A*, corr. Seg. | τριηρίδιον Schn. τριήριον Dindorf || 6 κυνιδάριον K. κυνίδιον Wilam. coll. Ar. Ach. 542. **108** 7 κατασιωπήσωμεν *A*, corr. Seg. **109** 9 ἀνάμνησις *A*, corr. Sp. | οὕτως *A*, corr. Sp. coll. D. 19.10 || 10 add. Seg. **111** 12 τὸ δηλούμενον Gr. **112** 14 παρὰ *A*, corr. Seg. || 17 φησιν Sp. || 18 add. Seg. coll. D. 21.19

105. Tropes of narration are seven: auxesis, meiosis, euphemia, paraleipsis, epanamnesis, speaking to the greater or to the lesser, enargeia;[107] Something must be said about how one should handle each. **106.** Now then, auxesis occurs (whenever you enlarge on something), as Demosthenes has done in speaking of the woman of Olynthus.[108] **107.** Meiosis (occurs) whenever you[109] say something in such a way as to belittle it, as Aristophanes does; for example, "sailor-boy, cowey, puppy."[110] **108.** Paraleipsis is forgetfulness of things harming us. Now we shall rarely keep them completely silent, but if our argument is not agreed to by the opponent, we shall speak them out in distress, putting them out of their normal order. **109.** Epanamnesis is (a reminder of something the audience knows), as Demosthenes' "(According to his own admission, Aeschines) is the first of Athenians to perceive (Philip's designs against the Greeks)."[111] **110.** Speaking to the greater (*epi to kreitton*) occurs whenever we narrate small things in a great way; (to the lesser, *epi to kheiron*, whenever we describe great things in a small way). **111.** We have already said about enargeia that it is language bringing things described before the eyes, as Demosthenes does: "Whenever on the brow, whenever with knuckles . . .",[112] etc. **112.** Narration differs from "katastasis" because in the katastasis we set out what the judges know while in the narration we describe what they do not know.[113] As a result, some say that the following passage in *Against Meidias* is not a narration but a katastasis: "For since (this is the third year) when no choregus has been appointed (by the tribe Pandion). . . ."[114] (Others) say it is neither (a narration nor a statement of the case) but a preliminary charge of the crime introduced in narrative form,[115] and that the orator himself shows this clearly enough when he says,

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[107] I.e., amplification, diminution, euphemism, reminder, speaking to the greater or lesser, vividness. The list is otherwise found only in Walz VII p. 26.23–23. Graeven regarded Neocles as the source of §§105–112; he is doubtless the source of 105–7 but Alexander seems to become the major source for 108–136. No examples are given in what follows of euphemism and speaking to the greater or lesser.

[108] Demosthenes 19.196.

[109] This suggests that §§105–7 may derive from Neocles.

[110] On Aristophanes' use of diminutives, cf. Aristotle, *Rhetoric* 3.2.15. *Triēritē,* the reading of the manuscript, is not a diminutive (it means "one who sails on a triereme") and does not occur in extant plays of Aristophanes. Perhaps the reading should be *triēridion* or *triērion* ("a small boat"). *Boidarion* is a diminutive of *bous* ("cow") and found in Aristophanes, *Birds* 585. *Kynaridion* ("puppy") does not occur in extant plays of Aristophanes, but *kynidion,* with similar meaning, is found at *Acharnians* 542. The terms were probably cited by the author's source from memory or may be from lost plays; thus there may be no textual corruption.

[111] Demosthenes 19.10.

[112] Demosthenes 21.72, with the phrases in reverse order.

[113] I.e., narration differs from a statement of the case. Cf. Apsines 3.3.

[114] Demosthenes 21.13. Those holding this view cannot be identified; their reasoning is explained further in the anonymous scholia on stasis in Walz VII p. 408. No discussion of *katastasis* is attributed to either Apollodoreans or Theodoreans.

[115] Cf. Scholia Demosthenica 21.3.17b ed. Dilts. The "others" are unknown. Spengel

καὶ αὐτοῦ παραδείξαντος, ἐν οὓς φησι· "τὰ μὲν εἰς ἐμὲ καὶ τοὺς φυλέτας ἠσελγημένα, ἐφ' ⟨οἷς⟩ αὐτὸν προυβαλόμην, ταῦτά ἐστιν".

113. Ζητοῦμεν δέ, εἰ ἀεὶ διηγητέον. οἱ μὲν Ἀπολλοδώρειοί φασιν ἀεὶ δεῖν διηγεῖσθαι, τὰ αὐτὰ λέγοντες ἃ καὶ ἐν τοῖς προοιμίοις, ὅτι τε ἐλλιπὴς ἔσται ὁ λόγος, καὶ ὅτι οὐδεὶς τῶν ἀρχαίων παρῆκε διήγησιν, καὶ ὅτι τοῦ πραγματικοῦ μέρους ἐστὶν ἡ διήγησις, ἀνάγκη τέ ἐστι διηγεῖσθαι, ἵνα μάθῃ ὁ ἀκροατὴς τὸ πρᾶγμα. **114.** πρὸς δὲ τούτοις καί τινα τοιοῦτον ἐρωτῶσι λόγον· εἰ μὲν οὐκ οἶδεν ὁ δικαστὴς τὸ πρᾶγμα, πᾶσα ἀνάγκη διηγεῖσθαι, ἵνα μάθῃ· εἰ δὲ οἶδεν, οὐδ' οὕτως παραλειπτέον, ἵνα μὴ δόξαν ἑτέραν καταλίπῃ τοῖς δικασταῖς περὶ τοῦ πράγματος. **115.** χωρὶς δὲ τούτων τίς, φασί, παραλείψει τὴν διήγησιν; εἰ μὲν γὰρ ὁ κατηγορῶν, γελοῖον, ἀνάγκης οὔσης δηλῶσαι τὸ πρᾶγμα· εἰ δὲ ὁ ἀπολογούμενος, συγχωρήσει ἀληθῆ τὴν διήγησιν εἶναι τὴν ὑπὸ τοῦ κατηγόρου ῥηθεῖσαν· καὶ λέγων μὲν θεραπεύσει δι' οἰκονομίας τὰ βλάπτοντα, παραλείπων δὲ πᾶσαν ἀληθῆ συγχωρήσει.

116. Ἀλέξανδρος δὲ ὁ τοῦ Νουμηνίου καὶ Νεοκλῆς φασι μὴ ἀεὶ δεῖν διηγεῖσθαι. **117.** πρῶτον μὲν γὰρ ᾧ τρόπῳ τινὰ τῆς διηγήσεως παραιτούμεθα ὡς μὴ συμφέροντα, καὶ πᾶσαν, ἂν μὴ συμφέρῃ. **118.** δεύτερον δὲ μηδὲ ἐν ταῖς τῶν νόμων εἰσφοραῖς ἡμᾶς διηγεῖσθαι· τὸ γὰρ ἐπεξιέναι, φασί, τὰς αἰτίας τῆς κατηγορίας ἢ τῆς θέσεως οὐ τοῦ πράγματός ἐστι διήγησις, ἀλλὰ τῶν ἐκτός. **119.** τρίτον, ὅτι φανερῶν ὄντων τῶν πραγμάτων περιττὸν τὸ διηγεῖσθαι, ὅπερ μάλιστά φασιν ἐν ταῖς δευτερολογίαις εὑρίσκεσθαι. **120.** καὶ ὅταν δ' ἄδοξα τὰ πράγματα ⟨ᾖ⟩, ἡ διήγησις οὐκ ἀναγκαία, ὡς ἐν τοῖς τοιούτοις ζητήμασιν· ἐπίτροπος ὀρφανὴν βιασάμενος κρίνεται μὲν κακῆς ἐπιτροπῆς, ἀξιοῖ δὲ δοῦναι τιμωρίας ἐπὶ τῇ βίᾳ. **121.** καθόλου δέ φησιν Ἀλέξανδρος τὴν διήγησιν δυοῖν ἕνεκεν λέγεσθαι, συνέσεώς τε καὶ

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2 add. Seg. | ἑαυτὸν *A*, corr. Seg. **113** 5 ἐλλειπὴς *A*, corr. Schanz | ἔσται Seg. εἶναι *A* εἴη ἂν Wilam. **114** 8 οὐκ] μὴ Seg. **115** 11 φησί *A*, corr. Kennedy **118** 20 θέσεως Fi. δεήσεως *A* **120** 24 add. Seg. coll. 7.730.2 W.

"These are the impious actions against me and the members of my tribe for which I entered a preliminary charge against him."[116]

113. But we ask if one should always include a narration.[117] The Apollodoreans, for their part, say that there is always need to narrate, saying the same that they said about the prooemia, that (without a narration) the speech will be difficient and that none of the ancients omitted a narration and that the narration belongs to the "pragmatic" part (of a speech), and it is necessary to give a narrative account in order that the hearer may understand the subject.[118] **114.** In addition, they also add to the question some statement like this: If the judge does not know the facts, there is every necessity to narrate them in order that he may learn; but if he knows them, not even so should a narration be omitted, for otherwise you may leave the judges with a different opinion about the matter. **115.** Apart from this, who, they say, will omit the narration? For if the prosecution does, it is ridiculous, since there is a need to make the matter clear; but if the defendant does, he will be granting that the narration spoken by the prosecutor is true; and in speaking (a narration), by the arrangement of his speech he will counteract what harms his case, but omitting it he will grant the whole truth (of what is said against him).

116. Alexander, son of Numenius, and Neocles, however, say there is not always need for a narration.[119] **117.** First, because in the same way that we omit some of the narration as not being advantageous (to our case), (so we should omit it) all if it is not advantageous. **118.** Second, there will be no need to give a narration in proposals of new laws; for to discuss the reasons for opposing or proposing is not a narration of fact but of externals.[120] **119.** Third, that when the facts are clear it is excessive to give a narrative account, something they say is most to be found in a second speech (in a case). **120.** And whenever the facts are disreputable, the narration is unnecessary, as in questions for declamation like the following: A guardian who raped an orphan is charged with misusing his trust and asks to pay a fine for the violence. **121.** Alexander says that, in general, a narration is spoken for two reasons, understanding and clarity, and if these exist on the

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emended the beginning of the sentence to read "he says" and identified "he" with Alexander.

[116] Demosthenes 21.19, somewhat condensed.

[117] Cf. Quintilian 4.2.4–18; Apsines 3.2.

[118] Cf. above, §§26–29; Seneca, *Controversia* 2.1.36; Quintilian 4.2.4; Grantelli p. 26.

[119] On the basis of the use of "we," the previous passage §§108–15 probably derives from Alexander. Although Neocles is named here with Alexander and again in §125, Alexander alone is named in §§121, 129, 133, 135, and 136, and "we" is used throughout the passage. Probably, Alexander is the major source for §§108–36, and the Anonymous is only noting Neocles' agreement with him.

[120] Cf. the Hermogenic treatise *On Invention* 2.3, pp. 112–14 ed. Rabe.

δηλώσεως, ταῦτα δὲ εἰ μὲν εἴη παρὰ τοῖς δικασταῖς, περιττὸν τὸ διηγεῖσθαι· εἰ δὲ μὴ εἴη, διηγησόμεθα· εἰ δὲ τὸ ἕτερον μὲν εἴη, θάτερον δὲ μή, διὰ μὲν θάτερον διηγησόμεθα. τὸ δὲ ἕτερον ἂν ἐλλείπῃ, ἐκ τῶν πίστεων κατασκευάσομεν. πρὸς μὲν οὖν τὸ ἀεὶ διηγεῖσθαι ἡ λύσις εὔδηλος. **122.** πολλάκις δὲ καὶ πρὸς τυράννους ἢ βασιλεῖς λέγομεν, οἳ οὐκ ἂν ἀνάσχοιντο ἡμῶν ἀνόνητα παρ' αὐτοῖς διηγεῖσθαι, ἀλλὰ εὐθὺς ἀπολογήσασθαι περὶ τοῦ πράγματος ἀναγκάζουσι. **123.** πρὸς δὲ τό, ὅτι πότερον ὁ κατήγορος παραλείψει ἢ ὁ ἀπολογούμενος, ῥητέον, ὅτι πρὸς τὴν χρείαν ἑκάτερος.

124. Τάξιν δὲ τῇ διηγήσει οἱ μὲν Ἀπολλοδώρειοι μίαν, τὴν ἐκ τῶν προοιμίων, ἀποδιδόασιν, ἀκολουθίαν εἶναι λέγοντες μετὰ τὸ παρασκευασθῆναι πρὸς ἀκρόασιν τὸν δικαστὴν ἐπάγειν τὴν διήγησιν. **125.** Ἀλέξανδρος δὲ ὁ τοῦ Νουμηνίου καὶ Νεοκλῆς οὐ μίαν ἀποδεδώκασιν αὐτῇ τάξιν, ἀλλὰ ἄλλοτε ἄλλην. **126.** ἐνίοτε καὶ πρό γε τοῦ προοιμίου, ὁπόταν ὁ δικαστὴς προηρεθισμένος ᾖ καὶ σπεύδῃ πρὸς τὸ μαθεῖν τὸ πρᾶγμα. **127.** ἔστι δὲ ὅτε καὶ μετὰ τὰς πίστεις, ὥσπερ Αἰσχίνην τέ φασιν ἐν τῷ κατὰ Τιμάρχου πεποιηκέναι καὶ Δημοσθένην ἐν τῷ κατὰ Μειδίου· τοῦτο δὲ ἁρμόζειν ἡνίκα ⟨ἂν⟩ ἰσχυρότερον οἱ ἀντίδικοι προβεβληκότες ὦσι τὰς διηγήσεις· προμαλαχθέντα γὰρ τὸν δικαστὴν ταῖς πίστεσι ῥᾳδίως παραδέχεσθαι τὴν διήγησιν. **128.** παρὰ μὲν οὖν Δημητρίῳ τῷ Φαληρεῖ φασιν ἐν ἐπιλόγῳ καὶ μετ' ἐπίλογον κεῖσθαι διήγησιν· ἁρμόζειν γὰρ τὸ τοιοῦτον ὅταν σφόδρα ὑπὸ τῶν κατηγόρων καταληφθῶσιν οἱ δικασταί. **129.** ὁ δὲ Ἀλέξανδρος πρὸ μὲν τῶν πίστεών φησι δεῖν τάττειν τὴν διήγησιν ἢ ἐν αὐταῖς ταῖς πίστεσι, μερίσαντα τοὺς λογισμούς, καὶ τοὺς μὲν προσήκοντας προτάττειν, τοὺς δὲ ἐν μέσῳ τιθέναι, διατάττοντας τὴν τῶν λειπομένων διήγησιν. **130.** μετὰ δὲ τὰς πίστεις οὐκέτι φησὶ δεῖν διηγεῖσθαι· δυοῖν γὰρ ἕνεκα, ὡς ἐν τοῖς ἀνωτέρω προειρήκαμεν, δηλώσεώς τε

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121 2.3 διηγησώμεθα *A*, corr. K. | ⟨οὐ⟩ διηγ. Sp. **122** 6 ἀνήνυτα Wilam. | διηγουμένων Schanz. **123** 8 ὅτι del. Sau. **126** 14 γε Fi. τε *A* **127** 18 add. Sau. || 19 προδιαβεβληκότες Gr. **128** 22 σφοδρότερον Fi. **129** 25 μερίσαντας Sp. | †μερίσαντα – 27 διήγησιν† Gr. || 26 τοὺς δὲ ⟨ἰδίᾳ⟩ (ἐν – τιθέναι transpositis ante 26 τὴν) K.

part of the judges, to give a narration is excessive; but if not, we shall give a narration; and if knowledge exists but clarity does not, we shall give a narration for the latter. And if knowledge is lacking, we shall establish it from the proofs. Now in regard to always including a narration, the refutation is quite clear. **122.** But often we are addressing tyrants or kings,[121] who would not suffer our describing things they regard as useless, but immediately force us to give an explanation about the subject. **123.** In regard to whether the accuser or defendant will omit (a narration), one should say that either might in terms of utility.[122]

124. The Apollodoreans allow only one place for the narration, right after the prooemia, saying that there is a sequence after preparing the judge for hearing the case to bring in the narration. **125.** But Alexander, son of Numenius, and Neocles do not limit it to a single place but sometimes one place, sometimes another.[123] **126.** Sometimes even before the prooemion, whenever the judge has been previously provoked and is in haste to learn the facts. **127.** There are also times when it belongs after the proofs, as (Alexander and Neocles) remark that Aeschines has done in *Against Timarchus* and Demosthenes in *Against Meidias*;[124] this is fitting whenever the opponents have rather strongly attacked (each other's) accounts; for the judge will accept the narration more easily when previously softened up by the proofs. **128.** In (speeches of) Demetrius of Phaleron they say narration is found in an epilogue and after an epilogue; for such treatment is fitting whenever the judges have been strongly captured by the prosecutors. **129.** Alexander says the narration should be arranged before the proofs or among the separate proofs, (in the latter case) dividing the arguments, and one should put appropriate arguments first, others in the middle, interspersing the narrative of what is left. **130.** But he says one should not ever narrate after the proofs; as we earlier said above,[125] we speak narrations for two reasons, clarity and

[121] An odd comment, in that declamations are rarely if ever imagined as addressed to tyrants or kings. Although attempts at tyranny or the killing of tyrants are common themes, the audience is regularly assumed to be an assembly or jury, as in the Athenian democracy. Epideictic oratory was sometimes addressed to a ruler, but usually lacks a narration. In actual court oratory under the Roman empire the official trying the case might, of course, feel he knew the facts and show impatience if a speaker tried to recount them, but the author does not elsewhere show interest in the judicial procedures of his time.

[122] Cf. Quintilian 4.2.6–8.

[123] Cf. Aristotle, *Rhetoric* 3.16. 10 ad fin. and Quintilian 4.2.24–26.

[124] Cf. Aeschines 1.95–115; Demosthenes 21.77–87. In both speeches narrative is postponed until after consideration of legal issues.

[125] §121.

καὶ συνέσεως, τὰς διηγήσεις λέγομεν. ταῦτα δὲ ἀμφότερα εἰ μὲν διὰ τῶν πίστεων γέγονε, περιττὴ λοιπὸν ἡ διήγησις· εἰ δὲ μὴ δι' ἐκείνων, οὐδὲ οὕτως καλὸν διηγεῖσθαι· τοῦ τε γὰρ ἰσχυροτέρου καὶ δραστικωτέρου μὴ πείσαντος, οὐδὲν ἀνύσει ἡ διήγησις. **131.** τοῦ τε μὴ δεῖν μετὰ τὰς πίστεις διηγεῖσθαι ἀποδεδειγμένου ἀκόλουθον τὸ μηδὲ μετὰ τὸν ἐπίλογον αὐτὰς τάττεσθαι.

132. Ἐζήτησαν δέ τινες καὶ τοῦτο, εἰ ἓν σῶμα τὴν διήγησιν ποιητέον ἢ μεριστέον αὐτὴν εἰς πολλά. ἔνιοι μὲν οὖν φασι μὴ δεῖν μερίζεσθαι τὴν διήγησιν, ἀλλ' ὁμοῦ πᾶσαν αὐτὴν τιθέναι· μηδὲ γὰρ τῶν ἄλλων μηδὲν μερίζεσθαι. **133.** Ἀλέξανδρος δὲ τά τε ἄλλα φησὶ δεῖν μερίζεσθαι, ἂν ᾖ χρεία, καὶ τὴν διήγησιν, ὅταν πολλὰ ᾖ τὰ ἐγκλήματα. τὰς μὲν γὰρ ἐπὶ μιᾷ συνισταμένας αἰτίᾳ σωματικὰς ποιεῖν ἀναγκαῖον ἑνοποιοῦντας, τὰς δὲ ἐπὶ πολλαῖς διεσπαρμένας· πολλάκις δέ φησι καὶ δι' αὐτὸ τὸ μῆκος, ἐὰν ὦσι μακραί, μεριστέον αὐτάς, ἵνα μὴ ὡς ἐν ἱστορίᾳ ἀφηγώμεθα.

134. Πάλιν ἐζήτησαν, εἰ ἐφ' ἑνὸς καὶ τοῦ αὐτοῦ ζητήματος μία ἄρα ἡ διήγησις ἢ πολλαί. καὶ Θεόδωρος μὲν πολλάς φησι γίνεσθαι, καὶ ἐν ταῖς παραγραφαῖς δύο φησὶν εἶναι, τήν τε τῆς αἰτίας καὶ τὴν τῆς παραγραφῆς αὐτῆς. **135.** Ἀλέξανδρος ⟨δὲ⟩ ὁ τοῦ Νουμηνίου οὔ φησι δύο εἶναι νομίζειν δεῖν ἐν μιᾷ ὑποθέσει διηγήσεις· ἀλλ' εἰ μὲν καθ' ἑκάστην αἰτίαν ἰδία ὑπόθεσις γίνεται, ἰδία καὶ διήγησις ἔσται· εἰ δὲ ἐκ πολλῶν αἰτιῶν μία συνέστηκεν ὑπόθεσις, οὐχ ὅτι αἱ αἰτίαι πολλαί, ⟨πολλαὶ⟩ καὶ αἱ διηγήσεις ἔσονται, ἀλλ' ὅτι μία ὑπόθεσις συνέστηκε, μία ἔσται καὶ ἡ διήγησις. οὐδὲ γὰρ ἐν ταῖς παραγραφαῖς δεῖ δύο εἶναι διηγήσεις, ἀλλὰ μίαν μιᾶς οὔσης τῆς ὑποθέσεως ἐξ ἀμφοτέρων τῶν αἰτιῶν. οὐ γὰρ αἱ πίστεις, φησίν, εἰσὶ πολλαί, ἀλλὰ τὰ μὲν κεφάλαια πολλά, ὥσπερ καὶ τῆς διηγήσεως, εἰς ἓν δὲ αὐτά, εἰς πίστιν, ἀνάγεται.

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130 3 τε del. Fi. **131** 4 τε] δὲ Fi. **132** 9 τίθεσθαι Sp. **133** 12 μιᾶς *A*, corr. Seg. | αἰτίας *A*, corr. Fi. **134** 16 ζητήματος Fi. διηγήματος *A* πράγματος K. **135** 19 add. Sp. || 23 add. Seg. || 25 εἶναι ⟨νομίζειν⟩ Gr. || 27 αὐτά *A* ἅπαντα Wilam.

knowledge. If both of these have been achieved through the proofs, further narrative is excessive; if not through the proofs, still, it is not right to give a narrative; for if what is stronger and more effective has not persuaded, narrative will accomplish nothing. **131.** Since it has been demonstrated that one ought not to have narrations after the proofs, it follows that they should not be put after the epilogue either.

132. Certain ones have also raised this question, whether one should make the narration a single body or should divide it into many? Now some[126] say that the narration should not be divided but all of it kept together; for none of the other parts are to be divided. **133.** But Alexander says the other parts should be divided if there it is useful, and the narration (should be divided) whenever there are many charges. It is necessary for us to bring together into a single body those (narrations) that combine the facts relative to a single charge, but others are scattered in many places; and he says that often, if they are long, they should be divided up through the whole length (of the speech), in order that we may not give an account as in a history.

134. They have questioned again whether on one and the same question there is one narration or many.[127] And Theodorus says there are many, and in actions for illegal suit he says there are two, one of the case, the other of the illegal procedure.[128] **135.** But Alexander, son of Numenius, denies that one ought to think there are two narrations on one hypothesis; but if each charge has its own hypothesis, it will also have its own narration; and if one hypothesis is composed of many charges, it is not the case that there will also be many narrations because there are many charges, but because a single hypothesis has been constituted, there will also be one narration. Nor in actions for illegal suit is there need of two narrations, but only one, since the hypothesis drawn from both charges is one. For the proofs (as parts of orations), he says, are not many, but the logical headings are many, as is true of narration, and they contribute to one thing, that is, to proof.

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[126] This seems consistent with views of the Apollodoreans.

[127] Cf. the similar question about one or many prooemia §§37–39 above.

[128] Frag. 10b Granatelli. *Paragraphē* in Attic law was a plea of demurrer in which the defendant in a trial charged that the prosecutor had brought an illegal suit, for example, that the time limit for action had run out. This charge, which had to be tried first, converted the defendant into the prosecutor. The situation was often exploited in declamation; cf. Apsines 1.88 and Sopatros in Walz VIII pp. 270–86.

136. Τὴν δὲ τῆς διηγήσεώς φησιν ἑρμηνείαν Ἀλέξανδρος ὁ τοῦ Νουμηνίου θρασυτέραν δεῖν εἶναι τῆς ἐν τῷ προοιμίῳ καί πού τι καὶ παραβολώτερον ἔχουσαν καὶ πρὸς πάθος νεύουσαν, οὕτως δὲ ὡς μήτε τὸ μέτρον ὑπερβαίνειν (δεῖ γὰρ συγκεκινῆσθαι τοῖς πράγμασι τὴν μνήμην) μήτε ἐνδεέστερον τοῦ δέοντος· ἄρτι γὰρ εἰς πάθος τὸν ἀκροατὴν ἐκκαλούμεθα. **137.** ὅμοιον δὲ τῷ τῶν λόγων σχήματι καὶ τὸ τῆς φωνῆς σχῆμα παραφυλάττοις καὶ τοιούτῳ μέτρῳ ὡς μήτε ἄγαν ἐνθουσιῶδες λαβεῖν (ἐπιλόγοις γὰρ οἰκεῖον) μήτε τὸ λίαν νηφάλιον (ἀλλότριον γὰρ τοῦ πάθους). ὡς μὲν οὖν καθόλου εἰπεῖν, τοιαύτη ἡ τῆς διηγήσεως ἑρμηνεία τε καὶ ὑπόκρισις· (**138.**) ὡς δὲ κατὰ μέρος διηγηματικοῦ ⟨ὑποκρίσεως⟩ λέγειν, ἁρμόσει τῷ μὲν ἁπλῷ καὶ μηδεμίαν ἰδιότητα ἔχοντι εὐμαθεῖς καὶ ἀπλημμελεῖς τὰς μεταβολὰς ἔχουσα πρὸς τὸν καιρὸν τῶν πραγμάτων· ἐὰν γάρ τι τοῦ διηγήματος μέρος δείνωσιν ἀναγκαίαν ἔχῃ, συνεπαρθῆναι ⟨δεῖ⟩ καὶ τὴν λέξιν καὶ διατεθῆναι, ἐὰν πάθος ἔχῃ, παθητικῶς, ἐὰν δὲ ἦθος, ἠθικῶς. **139.** ἐὰν μέντοι διήγημα ἠθικὸν ᾖ καὶ βαρύ, συναφὴς ἡ λέξις διακειμένη βελτίων ἔσται· τὸ γὰρ μὴ συνημμένον καὶ ἁπλοῦν καὶ ἀμβλὺ καὶ ἄτονον. **140.** ἐὰν δὲ καὶ διήγημα ᾖ κατασκευαστικόν, τὴν λέξιν δεῖ πολυσχημάτιστον εἶναι παρενθήκαις, παραζητήσεσιν, ἀναδρομαῖς. παράδειγμα τούτου τοῦ διηγήματος παρὰ Δημοσθένει· "τοῦ γὰρ Φωκικοῦ συστάντος πολέμου"· εὐθὺς γὰρ ὅλον ἐξ ἀρχῆς διέκοψε καὶ παρενέβαλεν αἰτίας, αἷς ἐξέβαλεν εἰς ἐκτροπὴν τὸν λόγον.

141. Τοῦ δὲ παθητικοῦ διηγήματος τὴν λέξιν ἀσυναφῆ καὶ διακεκομμένην εἶναι δεῖ καὶ λελυμένην τοῖς κώλοις· φορτικὸς γὰρ ὁ τρόπος καὶ βαρύς, ὅτι μὴ κατὰ πρόθεσιν ἀκολουθίας, ἀλλ' ἕκαστα βιαίως καὶ ἐξ ἀνάγκης λέγειν, ὡς ἐπὶ τούτου τοῦ ζητήματος· ἐν μακρᾷ

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136 5 μνήμην] γνώμην K. ἑρμηνείαν Fi. **137** 7 παραφυλάττειν K. ‖ 8 τὸ del. Wilam. **138** 10.11 μέρος διηγηματικοῦ Kennedy μέτρου διηγηματικὸν *A* μέτρου διηγηματικοῦ Seg. μέρος ⟨περὶ τοῦ⟩ διηγηματικοῦ K. ⟨***⟩ μέτρου διηγηματικὸν† Gr. | μέρος λέγειν διηγήμγατα ἁρμόσει Wilam. ‖ 11 add. Kennedy ‖ 14 add. Fi. **139** 16 ⟨τὸ⟩ διήγημα Wilam. ⟨ὅλον⟩ K. | ᾖ Seg. ἦ *A* | διακειμένη] διακεκομμένης Sp. τῆς κεχυμένης Seg. ‖ 17 βελτίω *A*, corr. Seg. | καὶ² del. Wilam. **140** 18 καὶ Fi. μή *A* τὸ Wilam. ‖ 22 ἐξήγαγεν Wilam. **141** 25 ⟨καὶ⟩ ἀκολουθίας Wilam.

136. Alexander, son of Numenius, says the style (*hermēneia*) of the narration should be bolder than that in the prooemion and in places even have something rather reckless and inclining toward pathos, but not so as to go beyond moderation—the memory (of the experience recounted) should be moved by the facts—nor deficient in what is needed; for we are summoning the hearer just to the point of emotion. **137.** You[129] should control the inflection of your voice in accordance with the form of the words and in such a measure that it is not too emotional—for that belongs in epilogues—nor too sober, which is foreign to pathos. To speak then in general, such is the style and delivery of a narration; (**138.**) and to speak in particular of narrational delivery, it will suit what is simple and has nothing peculiar if it has modulations that are easy to understand and not dissident in regard to the occasion of the subject; for if some part of the account[130] requires forcefulness, one should make the style (*lexis*) accord and, if it has pathos, one should express it emotionally, and if ethos, ethically. **139.** Of course, if an account is ethical and serious, a style arranged in a (smoothly) connected way will be better; for what is not connected is simple and blunt and relaxed. **140.** But if the account is argumentative, the style should be much figured with insertions, inquiries, and resumptions.[131] An example of this description is found in Demosthenes (in the passage beginning) "For when the Phocian war had broken out. . . ."[132] For he suddenly interrupted what he had been saying and inserted reasons why he diverted the speech into an (apparent) digression.[133]

141. The style (*lexis*) of an emotional account should be disconnected and cut up and dissolved by colons; for the (speaker's) manner is troubling and depressing, because statements do not follow a logical order but each thing is said roughly and out of necessity,[134] as in the following question for

[129] This probably indicates a change of source to Neocles for §§137–42.

[130] Up to this point the author has consistently used *diēgēsis* to refer to narration or narrative; here and in the three following sections the word employed is *diēgēma*, "account." Possibly this represents a shift from Alexander to another source; Graeven regarded Harpocration as the source of §§138–42; cf. the end of §246 below. *Diēgēsis* reappears in §142.

[131] The terms used here—*parenthēkē, parazētēsis*, and *anadromē*—are not found elsewhere as names for figures of thought.

[132] Demosthenes 18.18.

[133] *Ibid.* §17.

[134] Cf. Apsines 3.27.

πολιορκίᾳ ἐβουλεύσαντό τινες τὴν ἄχρηστον ἡλικίαν διῶξαι· ἀξιοῦσιν οἱ πατέρες ὑπὲρ ἐκείνων ἀνῃρῆσθαι.

142. τὸ δὲ ἁπλοῦν καὶ σαφές, ὃ καὶ μάλιστά ἐστι διηγηματικόν, ἐν πολλοῖς ἐστι παραδείγμασιν· ὅπου δ' ἀνατετραμμένην σε δεῖ, φησί, ποιεῖν τὴν διήγησιν καὶ ἀσαφῆ, μὴ τῇ λέξει τὴν ἀσάφειαν ἐργάζου, ἀλλὰ τὴν μὲν λέξιν, ὡς ἔνι μάλιστα ἁπλῆν, ἵνα καὶ εὐμαθείας δόξαν ἐνθῇς τῷ ἀκροατῇ, τὴν δὲ τῶν πραγμάτων τάξιν κίνει. τοσαῦτα καὶ περὶ διηγήσεων· ἐφεξῆς τοίνυν περὶ πίστεων ἡμῖν εἰρήσεται.

3. ΠΕΡΙ ΠΙΣΤΕΩΝ

143. Πίστις τοίνυν ἐστὶ λόγος κατασκευαστικὸς τοῦ προκειμένου ζητήματος. λέγεται δὲ ὁμωνύμως πίστις καὶ ἡ τῶν ἀκουόντων συγκατάθεσις, ἥτις τέλος τυγχάνει οὖσα τῆς προτέρας πίστεως. καλεῖται δὲ ἡ προτέρα ὑπ' ἐνίων καὶ ἀπόδειξις. **144.** Ἀλέξανδρος δὲ οὕτως τὴν πίστιν ὡρίσατο· πίστις ἐστὶ λόγος ἄγων εἰς συγκατάθεσιν. διαφέρει δὲ πίστις ἀποδείξεως, ὅτι ἡ μὲν ἀπόδειξις ἀληθῆ ἔχει τὰ λήμματα καὶ τὴν συναγωγὴν ὑγιῆ, ἡ δὲ πίστις οὔτε ἀεὶ ἀληθὴς οὔτε πιθανὴ καὶ φαίνεται μὲν συνάγειν, οὐ συνάγει δέ, καὶ ἡ μὲν τοῖς φιλοσόφοις ἁρμόζουσα μᾶλλον, ἡ δὲ τοῖς ῥήτορσιν.

145. Τῶν δὲ πίστεων αἱ μὲν ἄτεχνοί εἰσιν, αἱ δὲ ἔντεχνοι· ἄτεχνοι μὲν ἃς ἐξ ἑτοίμου ποριζόμεθα, ἔντεχνοι δὲ ἃς ἐκ τῆς τέχνης λαμβάνομεν. ἄτεχνοι δέ εἰσιν οἷον μαρτυρίαι, ψηφίσματα, συμβόλαια, χρησμοί, τὰ τοιαῦτα, ὅσα ἔγγραφα. ἄτεχνοι δὲ λέγονται ἐπειδὴ οὐδὲν ἐκ τῆς ἐπινοίας ἐστὶ τοῦ λέγοντος, ἀλλ' ἃ κἂν ἰδιώτης εὕροι. ἔργον δὲ τοῦ ῥήτορος ἐν ταῖς ἀτέχνοις πίστεσι τὰ μὲν βοηθοῦντα αὐξῆσαι καὶ βεβαιῶσαι, τὰ δὲ καθ' ἡμῶν ἐπισμικρῦναι καὶ ὡς οὐκ ἀξιόπιστα

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141 1 διῶξαι] σφάξαι Sp. ‖ 2 ὑπὲρ Seg. ὑπὸ *A* | ἀναιρεῖσθαι Wilam. **142** 3 ἀσαφές *A*, corr. Seg. ‖ 4 ἂν τετραμμένως *A*, corr. Seg. ἀνατετραγμένην Gr. **144** 14 λόγος ⟨κατασκευστικὸς τὸν ἀκροατὴν⟩ add. Gr. coll. 7.26.29 W. **145** 21 μαρτυρίαι ⟨νόμοι⟩ Fi. coll. 7.26.30 W. | συμβουλαὶ χρήσιμοι *A*, corr. Seg. ‖ 23 κἂν Seg. καὶ *A*

declamation: During a long siege some advise expelling those of a useless age; the fathers ask to be killed to save their children.[135]

142. There are many examples of a simple and clear style, which is most suitable for narrration. But he says[136] that wherever it is necessary for you to make the narration disturbed and unclear, do not create the obscurity by the style (*lexis*) but make the style as simple as possible, in order that you impart to the hearer an impression of easy understanding, and instead disturb the order of the facts. So much about narrations. Next then we shall speak about proofs.

Chapter 3. On Pisteis

The third part of a "political" speech is the pistis, or "proof" (Latin probatio). "Pistis" (plural pisteis), however, can also refer to the "means of persuasion" used by a speaker. The author refers only incidentally to stasis, the determination of the question at issue, which is an important concern in Latin handbooks and to which Hermogenes and other Greek rhetoricians devoted monographs, nor does he divide his discussion into proof in judicial and in deliberative speeches as most writers on rhetoric, beginning with Aristotle and the author of the Rhetoric for Alexander, had usually done.

143. Now then, pistis is language supportive of a proposed question. "Pistis" has the same meaning as "concordance" of the hearers, which is in fact the "end" of the previous proof. The previous proof is also called "apodeixis" by some.[137] **144.** Alexander defined "pistis" as follows: Pistis is speech leading to concordance. Pistis differs from apodeixis in that apodeixis has true premises and a valid conclusion, while pistis is neither always true nor persuasive and seems to lead to a conclusion but does not (always do so), and apodeixis is more appropriate for philosophers, pistis for orators.

145. Some pisteis are non-artistic, some artistic; those are non-artistic which we provide from material at hand, and those are artistic which we derive from the art (of rhetoric).[138] Non-artistic proofs are, for example, witnesses, decrees, contracts, oracles, such things, as many as are written down. They are called "non-artistic" since nothing comes from the thought of the speaker but is what any ordinary person might discover. The task of the orator in non-artistic proofs is to amplify and confirm those that aid his

[135] For a variant on this theme, cf. Walz VIII p. 410, no. 46.
[136] Neocles.
[137] *Apodeixis* is the Arisoteleian term for logically valid proof, but the word is sometimes used of demonstration generally: In *Rhetoric* 1.1.11 Aristotle says that *pistis* is "a sort of apodeixis and rhetorical apodeixis is enthymeme." In §§159–60 below, "apodeixis" is found in citations of the definition of enthymeme by Harpocration and Neocles.; cf. also Apsines 2.1; 9.17; 10.2, 3.
[138] Cf. Aristotle, *Rhetoric* 1.2.2. and 1.15; Minucianus, *On Epicheiremes* p. 340 Spengel-Hammer; Apsines 4.1 and 9.21.

διαβαλεῖν. τὸ δὲ ὅλον τούτων τῶν πίστεων ἡ μὲν εὕρεσις ἄτεχνος, ἡ δὲ χρῆσις ἔντεχνος.

146. Τῶν δὲ ἐντέχνων πίστεων τὰ πρῶτα εἴδη δύο, παράδειγμα καὶ ἐνθύμημα. καὶ Ἀλέξανδρος μὲν οὕτως· (**147.**) Νεοκλῆς δὲ οὕτως· ἔντεχνοι μέν εἰσι πίστεις, ὧν καὶ ἡ χρῆσις καὶ ἡ εὕρεσις ἐπὶ τοῖς λέγουσιν. εἴδη δὲ αὐτῶν δύο, τό τε ἀπὸ τοῦ πάθους καὶ τὸ ἀπὸ τοῦ πράγματος. **148.** παθητικὴ μὲν οὖν πίστις ἐστὶν ἡ τῷ πάθει τοῦ λέγοντος ἐπιφέρουσα τοῦ ζητουμένου τὴν πίστιν, οἷον "ὃς γὰρ ἐμοῦ φιλιππισμόν, ὦ γῆ καὶ θεοί, κατηγορεῖ". **149.** ἡ δὲ ἀπὸ τοῦ πράγματος πίστις γίνεται κατὰ τρόπους τρεῖς, κατὰ τὸ εἰκός, κατὰ τεκμήριον, κατὰ παράδειγμα. τὸ δὲ εἰκὸς Νεοκλῆς μὲν φησι κυρίως τὸ κατὰ διαφορὰν λέγεσθαι, οἷον "εἰκὸς ζήσεσθαί με αὔριον μηδενὸς ἀτόπου παρεμφαινομένου". τὸ δὲ αὐτό, φησί, λέγεται καὶ εὔλογον· διαφέρει δέ, ὅτι τὸ εὔλογον πλείους ἀφορμὰς ἔχει πρὸς τὸ εἶναι ἢ μὴ εἶναι. λέγεται δὲ τὸ αὐτὸ καὶ πιθανὸν ἐπινοίᾳ μόνον διαφέρον. **150.** νῦν δὲ κυρίως, φησί, λαμβάνεται τὸ εἰκὸς κατὰ τὴν πρός τι σχέσιν, τὸ συζύγως ἀνεξενεχθὲν τῷ σημείῳ καὶ τῷ τεκμηρίῳ, ὥστε τὸ εἰκὸς εἶναί τινος εἰκός, καὶ τὸ σημεῖόν τινος σημεῖον, οἷον οὗτος κλέπτης τῷ ὦφθαι αὐτὸν ἐπὶ ἡμέρᾳ ἐκεῖ ἐν ᾧ ἡ ἀπώλεια γέγονεν, ⟨ἢ⟩ τῷ ὑπερβαίνοντα καταληφθῆναι ⟨ἢ⟩ τῷ τοῦ κηρύγματος ἀκούοντα μεταστῆναι. καὶ τὸ μὲν εἰκὸς οὕτως. **151.** τὸ δὲ τεκμήριον οὕτως· τεκμήριόν ἐστιν εἰκὸς ἄλυτον, οὗ γεγονότος πάντη τε καὶ πάντως ⟨ἐστὶν⟩ ἐκεῖνο, οὗ τεκμήριον ὑπάρχει. **152.** τὸ δὲ σημεῖον οὕτως· σημεῖόν ἐστι τεκμήριον ἤδη καταλαμβανόμενον. κοινότερον δὲ εἰώθασι χρῆσθαι ἀντὶ τοῦ εἰκότος τῷ σημείῳ, ὥστε κατὰ τοῦτο σημεῖον εἶναι αἷμα φόνου, στέφανον εὐεργεσίας, μέθην εὐωχίας, ἁπλῶς εἰπεῖν εἰκὸς εἶναι καὶ σημεῖον, ὅπου πιθανὴ ἐπαγωγὴ γίνεται εἰς τὸ προκείμενον. **153.** τῶν δὲ

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145 1 διαλαβεῖν *A*, corr. Seg. **147** 5 ἔντεχνος μέν ἐστι πίστις *A*, corr. Sp. **149** 14 ⟨πρὸς τὸ⟩ μὴ Wilam. ‖ 15 ἐπωνυμίᾳ Wilam. ‖ 15 ἀπίθανον *A*, corr. Seg. **150** 17 ἀνεξενεχθὲν Fi. συνεξενεχθὲν Sp. ‖ 19 γέγονεν Fi. λέγωμεν *A* | add. Wilam. ‖ 19 τὸ . . 20 τὸ *A*, corr. Seg. ‖ 20 add. Kennedy **151** 22 add. Fi. | ἐκείνου *A*, corr. Fi. **152** 27 ἀπαγωγὴ *A*, corr. Seg.

case and to diminish and attack those against us as not credible. Overall, invention in the case of these proofs is non-artistic, but the use is artistic. **146.** In the case of artistic proofs there are, first, two species: paradeigm and enthymeme.[139] And Alexander (defines pisteis) in this way,[140] (**147.**) but Neocles as follows: pisteis are artistic whose use and invention lie with the speakers. There are two species of them, one from pathos and one from evidence.[141] **148.** Now then, pistis is pathetical which produces belief about what is under discussion by the emotion of the speaker; for example, "O Earth and Gods, he accuses me of being a lover of Philip."[142] **149.** Pistis from evidence occurs in three ways: by probability,[143] by sign, by paradeigm. Neocles says that "probability" is properly said of what could be different;[144] for example, "It is probable I shall be alive tomorrow, if nothing bad happens." He says that it is also called "reasonable"; but what is reasonable differs in that it has more basis for being true or not.[145] It is also called "persuasive," differing only in purpose. **150.** Now he says that probability is properly grasped in terms of a relationship to something, and is closely connected with some probable (or) necessary sign,[146] so that the probability is a probability of something and the sign is a sign of something; for example, that this man is a thief because of having been seen on the day in question there where the theft occurred, or because he was captured while trespassing or showed some change when he heard the announcement of the theft. And this is what probability is. **151.** (Neocles defines) *tekmērion* as follows: A *tekmērion* is an irrefutable probability; when it occurs, that of which the *tekmērion* is a sign is true in every way and altogether.[147] **152.** (He defines) *sēmeion* thus: A *sēmeion* is a limited *tekmērion*. More commonly, (rhetoricians) have become accustomed to use *sēmeion* instead of "probability," so that in this sense blood is a sign of murder, a crown of a benefaction, drunkness of feasting; simply speaking, there is probability and sign where there is persuasive deduction to the conclusion needed. **153.** He says there

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[139] Cf. Aristotle, *Rhetoric* 1.2.8. Paradeigm in Aristotelian rhetoric is the use of examples; cf. below §155.

[140] I.e., as stated in §144. What follows here, §§147–154, clearly derives from Neocles.

[141] Aristotle (*Rhetoric* 1.2.7–8) had divided pisteis into non-artistic and artistic; artistic he then divided into ethos, pathos, and logos, and logos into example and enthymeme. Neocles, and apparently Alexander also, rearranged this structure and omitted ethical proof.

[142] Demosthenes 18.294.

[143] "Probability" = *eikos*. Cf. Aristotle, *Rhetoric* 1.2.14, where it is said that enthymemes are derived from probabilities (*eikota*) and signs (*sēmeia*).

[144] Graeven (*ad loc.*) argued for a lacuna here and suggested "probability is properly said of the relationship to something, and more commonly of what happens for the most part. And this is a matter of difference"; cf. below §150. If Neocles said something like this, the Anonymous has sought to condense it.

[145] Cf. Diogenes Laertius 7.76, in a discussion of Stoic logic: "'Reasonable' is a judgment having many bases for being true, for example 'I shall be alive tomorrow.'"

[146] I.e, "with a *sēmeion* and a *tekmērion*."

[147] Cf. Aristotle, *Rhetoric* 1.2.16: "In the case of signs, some are related as the particular

εἰκότων, φησί, καὶ τῶν σημείων [καὶ τῶν παραδειγμάτων] εἴδη τρία, τὰ πρὸ τοῦ πράγματος, ὡς νέφος χειμῶνος, τὰ ἐν τῷ πράγματι, ὡς καπνὸς πυρός, τὰ μετὰ τὸ πρᾶγμα, ὡς αἷμα φόνου.

154. Παράδειγμα δέ, ὡς Νεοκλῆς, ἐμφερὲς καὶ ὅμοιον καὶ εἰκὸς τῷ ζητουμένῳ πράγματι, ἀφ' οὗ ὁρμώμενος ἄν τις ἀξιώσαι ὁμοίως τὰ ὅμοια φρονεῖν καὶ ἐπὶ τοῦ ζητουμένου, οἷον τοῦ τινα δορυφόρους λαμβάνοντα τυραννήσειν παράδειγμά ἐστι Πεισίστρατος καὶ Φάλαρις καὶ Διονύσιος. **155.** Ἀλέξανδρος δὲ οὕτως· παράδειγμά ἐστι λόγος ἀπὸ τῶν κατὰ μέρος ἤτοι ἐπὶ τὸ κατὰ μέρος ἐπάγων ἢ ἐπὶ τὸ καθόλου ἢ ἀπὸ τοῦ ὁμοίου ἐπὶ τὸ ὅμοιον, ὡς ἔχει τὰ προειρημένα. **156.** ὡς δὲ Ζήνων, παράδειγμά ἐστι γενομένου πράγματος ἀπομνημόνευσις εἰς ὁμοίωσιν τοῦ νῦν ζητουμένου.

157. Ἐνθύμημα δέ ἐστιν, ὡς μὲν Νεοκλῆς, λόγος προειρημένων τινῶν περὶ τοῦ ζητουμένου, ἢ καὶ περὶ τοῦ καθηγουμένου αὐτοῦ, καί τινα συνήχησιν ἐχόντων τῶν ἀκροατῶν τὸ ἐνδέον κεφαλαιωδῶς καὶ συνειλημμένως προστιθείς. **158.** ὡς δὲ ἔνιοι, ἐνθύμημά ἐστι τοῦ προηγουμένου ἐπιχειρήματος συμπέρασμα προσαγόμενον τῷ ζητήματι ἐν μιᾷ περιόδῳ. **159.** ὡς δὲ Ἁρποκρατίων, ἐνθύμημά ἐστι λόγος πρὸς ἀπόδειξιν λαμβανόμενος τῶν ὑποκειμένων. **160.** τῆς δὲ ἀποδείξεως ἀρχὴ μέν ἐστιν, ὥς φησι Νεοκλῆς, πρόθεσις· τρόποι δὲ αὔξησις καὶ μείωσις. ἐκ τῶν αὐτῶν δὲ τόπων ληφθήσεται ἥ τε αὔξησις καὶ ἡ μείωσις. μάλιστα δὲ τὰ πάθη ταῖς αὐξήσεσι συναγωνίζεται καὶ ταῖς μειώσεσιν. ἔσται δὲ ταῦτα οὐκ ἐν ἑνὶ μέρει τοῦ λόγου, ἀλλὰ δι' ὅλου παρασπαρθήσεται. καὶ περὶ μὲν τῶν τρόπων ταῦτα· περὶ δὲ τῆς προθέσεως ἤδη λέγωμεν.

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153 1 del. K. **154** 5 ἀξιώσῃ *A*, corr. Seg. | ὁμοίως del. Wilam. || 6 τινας *A*, corr. Seg. **157** 16 προτιθείς *A*, corr. Sp. coll. 7.763.2 W. **158** 17 προαγόμενον τὸ *A*, corr. Sp. coll. 7.763.2 W. **160** 25 λέγομεν *A*, corr. Seg.

are three species of probabilities and signs, those before the fact, as a cloud is (a probable sign) of a storm, those in the fact, as smoke of fire, and those after the fact, as blood of murder.[148]

154. Paradeigm, according to Neocles, is a likeness and similarity and probability to a fact under question, from which, as a starting point, one would think it right to regard likenesses in a like way and applicable to the question under discussion; for example, Peisistratus and Phalaris and Dionysius are example(s) that someone who receives a bodyguard is going to become tyrant.[149] **155.** But Alexander defines it as follows: Paradeigm is language drawing from the particular either to (another) particular or the universal, or from like to like, as does the example just given. **156.** As Zeno (defines it)[150], paradeigm is a reminder of something that has happened for comparison with what is now under discussion.

157. Enthymeme, according to Neocles, is language concerning something under discussion when some (other) things have been posited, or concerning what is antecedent, and stating the conclusion summarily and compactly when the hearers have some understanding (of the premises).[151] **158.** But according to some, an enthymeme is a conclusion of an antecedent epicheireme related to the question at issue in one period.[152] **159.** According to Harpocration, an enthymeme is language taken for demonstration of the subject. **160.** The first principle of apodeixis, as Neocles says, is proposition; auxesis and meiosis[153] are forms of treatment. Both auxesis and meiosis are derived from the same topics. The emotions contribute most to auxesis and meiosis. These will not be found in a single part of the speech, but will be scattered through the whole. So much about these forms; now let us speak about proposition.

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to the universal, some as the universal to the particular. Of these, a necessary sign is a *tekmērion*, and that which is not necessary has no distinguishing name"; e.g., that Socrates was wise and just is a sign (*sēmeion*) that the wise are just but not certain, while fever is a *tekmērion*, or necessary sign, of illness.

148 Cf. *Rhetoric for Alexander* 12 and Quintilian 5.9.4–5.

149 Cf. Aristotle, *Rhetoric* 1.2.19. In 2.20 Aristotle divided paradeigms into historical and fictional, the latter including parables and fables. Apsines discusses the use of paradeigms in chs. 6 and 7.

150 For Zeno, see above §48n.

151 Cf. Aristotle, *Rhetoric* 1.2.9: "to show that if some premises are true, something else beyond them results from these because they are true, either universally or for the most part, in dialectic is called syllogism and in rhetoric enthymeme."

152 Epicheireme, literally a "grasping in the hand," is defined by Aristotle (*Topics* 8.162.a16) as a dialectical syllogism. It was the subject of a long work by Theophrastus and first appears in a rhetorical context in *Rhetoric for Herennius* 2.2: "arguments, which the Greeks call 'epicheiremes'"; cf. Quintilian 4.4.1 and 5.14.4 and the treatise "On Epicheiremes" by Minucianus, Sp.-H. I, ii pp. 340–51. Apsines 8.1 uses "epicheireme" to mean logical argument, divided into paradeigm and enthymeme. In the Hermogenic treatise *On Invention* (p. 340 Rabe) an epicheireme is a confirmation or rebuttal of a heading, which is then "worked out" in a series of steps. This seems to be the meaning here. In §178 below the author mentions notes on epicheiremes he has made.

153 I.e., amplification and diminution.

161. Πρόθεσίς ἐστιν ἔκθεσις τοῦ ζητουμένου ὥσπερ εἰ σκοπὸς καὶ ἐπαγγελία τῆς μελλούσης κατασκευῆς. **162.** λαμβάνεται δὲ [γὰρ] ἡ πρόθεσις πρῶτον μὲν ⟨ἕνεκεν⟩ τοῦ προσεχεστέρους ποιῆσαι τοὺς ἀκροατάς· εἰδότες γὰρ τὴν πρόθεσιν ἐφ' ἣν ποιεῖται τοὺς λόγους, προσεκτικώτεροι γίνονται· **163.** δεύτερον δὲ ἕνεκεν τοῦ τὴν μετάβασιν τὴν ἐπὶ τὰς πίστεις ἐκ τοῦ διηγήματος πᾶσι φανερὰν γενέσθαι· **164.** τρίτον αὐξήσεως ἕνεκεν· τοῦτο γὰρ ἐποίησε καὶ Αἰσχίνης ἐν τῷ κατὰ Τιμάρχου προαναγνοὺς τοὺς περὶ σωφροσύνης νόμους. **165.** λαμβάνεται δὲ καὶ μειώσεως ἕνεκεν, ὡς ὁ Δημάδης· "ἥρπασαν οἱ Διόσκουροι τὰς Λευκιππίδας, Ἀλέξανδρος τὴν Ἑλένην, καὶ διὰ τοῦτο τοῖς Ἕλλησι πόλεμος ἐγένετο, καὶ νῦν τοῦ πορνοβοσκοῦ θυγάτηρ ἥρπασται". **166.** τότε δέ, φησί, προοιμίου τάξιν ἔχει τὸν ἀκροατὴν ἐπιστρέφουσα. τίθεται πρόθεσις καὶ πρὸ τῶν διηγήσεων, οἷον "τίνων χρὴ λόγον παρὰ πρεσβευτοῦ λαβεῖν; πρῶτον μὲν ὧν ἀπήγγειλε", καὶ ἑξῆς. **167.** λαμβάνεται δὲ ἡ πρόθεσις καὶ ἐν ἀρχῇ, ὡς ὁ Λυκοῦργος· "⟨ἐγὼ δὲ ἐὰν μὴ⟩ καὶ παράνομον τὸ ψήφισμα ἐπιδείξω καὶ ἀσύμφορον καὶ ἀνάξιον τὸν ἄνδρα δωρεᾶς". **168.** ἁρμόζει δὲ τότε ἡ τῶν κεφαλαίων ἔκθεσις, ὅταν ἐπὶ τὸ βέλτιον ὦσι περί τινος προαπενηνεγμένοι, ὡς ὁ Δημοσθένης περὶ τοῦ Χαριδήμου λέγων· "δίκαιον δ' ἐστὶν ἴσως ἐμ' ὑπεσχημένον τρι' ἐπιδείξειν, ἓν μὲν ὡς παρὰ τοὺς νόμους τὸ ψήφισμ' αἴρηται, δεύτερον δ' ὡς ἀσύμφορος ἐστι τῇ πόλει, τρίτον δ' ὡς ἀνάξιος τυχεῖν ᾧ γέγραπται". καὶ περὶ μὲν προθέσεως ταῦτα· περὶ δὲ τῶν τῆς πίστεως τόπων ῥητέον, καὶ πρῶτον τί ἐστι τόπος.

169. Τόπος μὲν οὖν ἐστιν, ὡς Ἀλέξανδρός φησιν, ἀφορμὴ ἐπιχειρήματος ἢ ἀφορμὴ πίστεως [εἰ], ὅθεν ἄν τις ὁρμώμενος ἐπιχείρημα εὕροι· **170.** τῶν δὲ τόπων ἔνιοι μέν, ὡς ὁ Νεοκλῆς φησι, κοινούς τινας κατὰ πασῶν τῶν στάσεων εὑρήκασιν· οἱ δὲ ἰδίους ἑκάστης

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161 2 παρασκευῆς *A*, corr. Gr. coll. 7.1220.2 W. **162** 2 del. Sp. ‖ 3 add. K. **166** 13 πρόθεσις καὶ del. Wilam. **167** 15.16 add. Sau. ex **168**.19 q.v. **168** 19 post λέγων praeb. ἐγὼ δὲ ἐὰν μὴ et (**167**.16) καὶ παράνομον – 17 δωρεᾶς *A*, quae omnia del. Sau. **169** 25 ἢ – εἰ del. Gr. coll. 2.106.14 Sp. | del. Seg. **170** 26 κοινῶς τινα *A*, corr. Sp. ‖ 27 εἰρήκασιν *A*, corr. Sp. | ἰδιῶς *A*, corr. Sp.

161. Proposition (*prothesis*) is an exposition of the question as if an overview and announcement of the argument that is going to be provided.[154] **162.** The first purpose of a proposition is to make the hearers more receptive; for knowing the proposition on which one makes speeches (the hearers) become more receptive. **163.** The second purpose is to make the transition from the narration to the proofs clear to all. **164.** A third is for auxesis; Aeschines did this in *Against Timarchus* by reading the laws about sophrosyne.[155] **165.** It is used also for meiosis, as by Demades: "The Dioscuri seized the daughters of Leucippus, Alexander (seized) Helen, and through this, war came to the Greeks, and now the daughter of a brothel-keeper has been seized."[156] **166.** Sometimes, he says,[157] (a proposition) addressing the hearer occupies the position of a prooemion. The proposition is also put before the narrations; for example, "Of what should an account be required from an ambassador? First, of what he reported,"[158] and so on. **167.** A proposition is also taken up at the beginning, as does Lycurgus: "I shall show that the decree is both illegal and inexpedient and that the man is unworthy of a reward. . . ."[159] **168.** An exposition of the headings[160] is appropriate whenever (the hearers) have been previously led to a better opinion of someone, as in the case of Demosthenes speaking about Charidemus: "It is probably right for me in giving an account to show three things: one, that the decree has been promulgated contrary to law, second that it is not expedient for the city, and third that he is not worthy of receiving what has been voted."[161] These are the points relating to a proposition, but the topics of the proof must be discussed, and first, What is a *topos*?

169. A *topos* then is, as Alexander says, the starting point of an epicheireme or the starting point of a proof, beginning from which one finds an epicheireme.[162] **170.** Some topics, as Neocles says, invent something in common to all stases, but others are specific to each stasis, and Aristotle

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[154] The author views the proposition as part of the "proof" and not a separate section of a speech. Graeven regarded Neocles as the source of §§161–68.

[155] Aeschines 1.37.

[156] Demades, frag. 95 ed. de Falco.

[157] Neocles?

[158] Demosthenes 18.4.

[159] Lycurgus, *Against the Honors to Demades*, fr. 1; see Britt, *MAO* II pp. 150–51.

[160] *Kephalaia*, the major arguments used in support of a position; cf. Apsines 2.1 with note thereon and Apsines ch. 9.

[161] Demosthenes 23.18. The manuscript, however, repeats the quotation attributed to Lycurgus above.

[162] Cf. above §158 and Theon in Spengel II p. 106.

στάσεως, Ἀριστοτέλης δὲ καὶ κοινοὺς καὶ ἰδίους τοὺς μὲν πλείστους εὕρηκε, περὶ δὲ τῶν ἰδίων διαλέγεται συμφωνῶν καὶ αὐτὸς Εὐδήμῳ τῷ ἀκαδημαϊκῷ. **171.** εἰσὶ δὲ οὗτοι οἱ τόποι οἵδε· ὅρος, διαίρεσις, παράθεσις, συστοιχία, περιοχή, ὅμοιον, παρεπόμενον, μάχη, δύναμις, κρίσις. οὗτοι μὲν οὖν, φησίν, οἱ γενικώτατοι τόποι. ἀρκτέον δὲ ἤδη περὶ ἑκάστου λέγειν.

172. Ὁ ὅρος τριχῇ τέμνεται, εἴς τε ὁλόκληρον τὸν ὅρον, εἰς τὰ ἐν τῷ ὅρῳ, καὶ τὰ παρακείμενα τῷ ὅρῳ. τὰ μὲν οὖν ἐν αὐτῷ τῷ ὅρῳ ταῦτά εἰσι, γένος, ἴδιον, διαφορά. τὰ δὲ παρακείμενα αὐτῷ ἐτυμολογία, παρώνυμον, ἐπίθετον, ὑποκοριστικόν· καὶ ἐκ τούτων γὰρ ἐπιχειρήματα λαμβάνεται.

173. Ἡ δὲ διαίρεσις τριχῇ καὶ αὐτὴ τέμνεται, εἴς τε τὴν καταρίθμησιν καὶ εἰς τὸν μερισμὸν καὶ εἰς τὴν εἰδικὴν διαίρεσιν. ἔστι δὲ καταρίθμησις μὲν ὅταν ὄνομα μόνον ⟨κοινὸν⟩ ὑπάρχῃ, πρᾶγμα δὲ διάφορον· μερισμὸς δ᾽ ὅταν κοινὸν ᾖ καὶ ὄνομα καὶ πρᾶγμα, μόνον δὲ τὴν λέξιν διάφορον ἔχῃ. περὶ δὲ τῆς εἰδικῆς διαιρέσεως ὡς σαφοῦς παραλείπομεν.

174. Ἡ δὲ παράθεσις καὶ αὐτὴ τριχῇ λαμβάνεται, ἢ κατὰ τὸ μᾶλλον ἢ κατὰ τὸ ἧττον ἢ κατὰ τὸ ἴσον.

175. Ἡ δὲ συστοιχία πραγμάτων κοινωνίαν καὶ ὀνομάτων δηλοῖ· συστοιχεῖν γὰρ ἀλλήλοις λέγομεν ὡς τὴν φρόνησιν καὶ τὸν φρόνιμον.

176. Ἡ δὲ περιοχὴ διπλῆ· ἃ μὲν γὰρ ὡς μέρη [γίνεται] περιέχεται, ἃ δὲ ὡς κατὰ δύναμιν.

177. Ὁ δὲ ἐκ τῶν ὁμοίων τόπος καὶ αὐτὸς διπλοῦς· τὸ μὲν γὰρ κατὰ τὴν ποιότητα ὅμοιόν ἐστι, τὸ δὲ κατὰ τὴν ἀναλογίαν, ὅπερ εἰς τὰς ἀποδείξεις μᾶλλον ἁρμόττει.

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170 2 εὕρηκε Volkmann εὔαδεν *A* εὗρεν Sp. εὖ διεῖλε Seg. **172** 7 ⟨καὶ⟩ εἰς Wilam. ‖ 9 γένος ⟨εἶδος⟩ add. Volkmann. **173** 13 ἰδικὴν *A*, corr. Seg. ‖ 14 add. Fi. ‖ 15 κοινὸν ᾖ Fi. κοινωνῇ *A* ‖ 16 ἔξιν Gr. **176** 22 del. Gr.

discovered most common and specific topics,[163] but in discussing special topics he is in agreement with Eudemus the Academic.[164] **171.** The (common) topics are the following: definition, division, comparison, correspondence, inclusion, likeness, adjunct, inconsistency, potentiality, judgment.[165] These, he says, are the most typical topics. It should suffice now to speak of each.[166]

172. Definition (*horos*) is divided into three parts: into the definition as a whole, what is in the definition, and the correlatives to the definition. The following are in the definition: genus, species, differentia. Correlatives to it are etymology, derivative, epithet, diminutive; for epicheiremes are derived from these.[167]

173. Division (*diairesis*) also is itself divided in three ways: into enumeration and partition and division by species.[168] It is enumeration when only the name is shared but the thing differs;[169] and partition whenever both the name and the thing are in common but only have a different lexical meaning.[170] We leave aside division by species as clear.

174. Comparison (*parathesis*), too, is taken in three ways: either in terms of the more or the less or the equal.

175. Correspondence (*sustoikhia*) makes clear the shared meaning of things and names; we say that "wisdom" and "the wiseman" correspond to each other.[171]

176. Inclusion (*periokhē*) is two-fold; some things are included as parts, some in terms of their potential.[172]

177. The topic from likenesses (*homoia*) is also two-fold: one is likeness in terms of quality, the other by analogy, of which the latter is more suitable for apodeixis.

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[163] Aristotle, *Rhetoric* 1.3 and 2.22–23.

[164] Perhaps Eudemus the Peripatetic is meant; he was an early follower of Aristotle who wrote works on logic, rhetoric, and other subjects.

[165] In his treatise on *Topics* Aristotle grouped them under the four predicables of definition, property, genus, and accident. Cicero (*Topics* 9–11) lists definition, enumeration, etymology, conjugate, genus, species, similarity, difference, contraries, adjuncts, antecedents, consequents, contradictions, cause, effect, and comparison. Quintilian discusses the subject at length in 5.10.53–125.

[166] Alexander may be the source of §§171–81 (note "we" in §§173 and 179) and is the probable source of 182–97.

[167] E.g., if something is just, it was done justly; if a person is just, that person's acts are just, etc.

[168] Cf. Sextus Empiricus, *Outlines of Pyrrhonism* 2.213–27. He adds a fourth, division of species into particulars.

[169] E.g., the goods of mind, body, and estate differ but are all *agatha*.

[170] E.g., *logos* always refers to "speech" but can carry the meaning of "a word, a speech," etc.

[171] Cf. Aristotle, *Topics* 2.9; Cicero, *Topics* 12.

[172] E.g., mouth and ears are parts of the human body; speaking and hearing are potentialities or faculties.

178. Τὸ δὲ παρεπόμενον ἔχει τρόπους τρεῖς, τὰ πρὸ τοῦ πράγματος, τὰ ἐν τῷ πράγματι, τὰ μετὰ τὸ πρᾶγμα.

179. Τὴν δὲ μάχην ἐν τοῖς περὶ εὑρέσεως σχολικοῖς, ἐν οἷς περὶ ἐπιχειρημάτων ἐλέγομεν, ἐδιδάξαμεν· ῥητέον δὲ καὶ νῦν τὰ παρακείμενα αὐτῇ. παράκειται τοίνυν τῇ μάχῃ καὶ τὰ ἐναντία καὶ τὰ ἀντικείμενα. τί δὲ τούτων ἑκάτερον διαφέρει, ῥητέον. ἀντικείμενα μὲν οὖν ἐστιν, ὧν τὸ ἕτερον τοῦ λόγου ἀποφατικόν ἐστιν. ἐναντία δ' ὅσα περὶ τὸν αὐτὸν τόπον στρεφόμενα πλεῖστον ἀλλήλων ἀπέχει. τῶν δ' ἐναντίων τὰ μέν ἐστι στερητικά, τὰ δὲ οὐ στερητικά. στερητικὰ μὲν οἷον τέχνη ἀτεχνία, οὐ στερητικὰ δὲ οἷον ἀγαθὸν κακόν.

180. Ἡ δὲ δύναμις ὀκτὼ διαφορὰς ἔχει ἀκολούθως τῇ τοῦ συμφέροντος διαιρέσει· λαμβάνεται γὰρ τὸ συμφέρον ἐκ τοῦ ἀγαθοῦ καὶ τοῦ κακοῦ, καὶ καθ' ἑκάτερον τετραχῶς, ἐκ μὲν τοῦ ἀγαθοῦ κτῆσις, αὔξησις, τήρησις, ὄνησις· ἐκ δὲ τοῦ κακοῦ ἔκκλισις, μείωσις, ἀπόκλισις, ὑπόστασις.

181. Κρίσις δὲ ληφθήσεται ἀπὸ θεῶν, ἀπὸ ἡρώων, ἀπὸ συγγραφέων, ἀπὸ φιλοσόφων, ἀπὸ ποιητῶν.

182. Οἱ μὲν γενικώτατοι τόποι οὗτοι· οὐδὲ γὰρ οἷόν τε νῦν περὶ ἁπάντων λέγειν, ἀλλ' ἁπλῶς εἰς ἔννοιαν ἄγομεν τοῦ πράγματος, ἐπεὶ καὶ ὅταν λέγωμεν δεῖν σκοπεῖν αἰτίαν, ὕλην, ἀγωγήν, οὐχ ὡς ἐκ τούτων μόνων ἐλεγχομένων τῶν ἀδικούντων φαμέν, πολλοὶ γὰρ καὶ ἀπὸ χρώματος καὶ ῥήματος ἠλέγχθησαν, ἀλλὰ δι' αὐτῶν ὥσπερ εἰς ἔννοιαν τῶν ὅλων ἄγομεν.

183. Δεῖ δὲ εἰδέναι, ὅτι πάντα τὰ προειρημένα κατὰ δύο τρόπους ἔσται χρήσιμα ἐπὶ ζητημάτων, οἷον προκείσθω ζήτημα, εἰ ἡ ἡδονὴ ἀγαθόν. ἐὰν γὰρ θελήσωμεν τοῦτο ἀπολῦσαι, ἐκ τοῦ ὅρου τῆς ἡδονῆς ἐπιχειρήσομεν, οἷον ὅτι ἡ ἡδονὴ ἀποκατάστασίς ἐστιν ἐκ τῶν παρὰ

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179 4 νῦν καὶ *A*, corr. Sp. ‖ 7 λόγου] ἑτέρου Gr. ‖ 8 τῶν αὐτῶν τόπων *A*, corr. Sp. **180** 13 κτίσις *A*, corr. Sp. 14 τήρησις Gr. coll. 2.503.22 Sp. κρίσις *A* | ἀπόλυσις, μείωσις Gr. coll. Quint. 5.10.33. **182** 21 πολλοὶ Sp. πολιτικοὶ *A* ‖ 22 ῥήματος] σχήματος Gr. | ἠλὲχθησαν *A*, corr. Seg. ‖ 23 ἀγόμενοι *A*, corr. Sp. **183** 26 γὰρ ⟨μὴ⟩ Seg. ⟨μὲν⟩ γὰρ Gr. | ἀπολῦσαι Kennedy ἀποδεῖξαι *A* ἀπελέγξαι etiam coni. Kennedy

178. (The topic of) adjunct (*parepomenon*) takes three forms: things before the fact, things involved in the fact, and things after the fact.[173]

179. We explained inconsistency (*makhē*) in the notes about invention where we discussed epicheiremes,[174] but something also needs to be said now about what is included in it. Now opposites and contraries are included in inconsistency. What is the difference between each of these needs to be said. Contraries, then, are things of which one is a denial of the meaning of the other, but opposites are whatever, when applied to the same topic, are furthest from each other.[175] Some opposites are negations (of each other), some not negations. Negations are, for example, "art," "artless," non-negations are, for example, "good," "bad."

180. Potentiality (*dynamis*) has eight different forms, consistent with the division of what is advantageous; for the advantageous is derived from (consideration) of the good and the bad and in each case is divided into four forms: from the good (come the topics of) acquisition, increase, preservation, and benefit; from the bad, avoidance, diminution, loss, and endurance.[176]

181. Judgment (*krisis*) will be taken from that of gods, heroes, prose writers, philosophers, poets.

182. These are the most typical topics; nor is it possible now to speak about all (topics), but we are simply leading the way to an understanding of the subject, since even when we say that one should examine cause, material, education, we do not say that those who do wrong are convicted on the evidence of these only; for many have been convicted by a change of color or a word, but we lead the way through these topics to an understanding of the whole.

183. One should know that everything that has been said previously applies to questions for debate in two ways;[177] for example, let the question be posed Whether pleasure is a good?[178] If we wish to refute this,[179] we shall begin the argument from the definition of pleasure; for example, that pleasure is a restoration of each thing from what is contrary by nature to

[173] Cf. above §153 and Cicero, *Topics* 51.

[174] Apparently a reference to another set of notes made by the author. On epicheiremes see above, n. on §158.

[175] Cf. Aristotle, *Categories* 16a17; Cicero, *Topics* 47. The definition here given derives from Stoic logic; cf. Diogenes Laertius 7.73 and Sextus Empiricus, *Against the Professors* 8.89.

[176] Cf. Quintilian 5.10.33.

[177] I.e., demonstration and refutation.

[178] A favorite subject for dialectical debate; cf. Aristotle, *Topics* 2.1 and *Nicomachean Ethics* 7.11.

[179] The manuscript reads "if we wish to prove (*apodeixai*) this." The mistake may go back to the author's transcription of his source. Séguier recognized the problem and proposed "if we do not wish to prove this," but some word for "refute" seems required by the context.

φύσιν εἰς φύσιν ἑκάστου τὴν αὑτοῦ, τὰ δ' ἐξ ἀποκαταστάσεως ἀτελῆ, ἡ δὲ τοιαύτη ἡδονὴ ἀτελής, τὸ δὲ ἀτελὲς οὐκ ἀγαθόν· οὐκ ἄρα ἡδονὴ ἀγαθόν. εἰ δὲ ἀγαθὸν αὐτὴν ἀποδεῖξαι θελήσομεν, πάλιν ἐκ τοῦ ὁρισμοῦ τοῦ ἀγαθοῦ ἐπιχειρήσομεν, οἷον ὅτι ἀγαθόν ἐστιν οὗ πάντα ἐφίεται, τῆς δὲ ἡδονῆς πάντα ἐφίεται· ὥστε ἀγαθόν. **184.** τοῦτο δέ, φησί, συμβαίνει, ἐὰν χωρὶς προσώπου παραλήψεως τὸ ζητούμενον ᾖ· ἐὰν δὲ μετὰ προσώπου παραλήψεως, οὔ. ἔστι δὲ καὶ ἀπ' αὐτῆς ταύτης λαβεῖν ἐπιχείρημα οὕτως, εἰ ἡδονὴ βασιλεῖ ἀγαθόν· τοῦτο γὰρ ὁρισάμενοι κατὰ τοῦτον τὸν ὅρον ἐπιχειρήσομεν. **185.** γνωστέον δὲ ἐπὶ τῶν τόπων τούτων κἀκεῖνο, ὅτι οἱ μὲν αὐτῶν εἰσιν ἀνασκευαστικοὶ μόνον, οἷός ἐστιν ὁ ἀπὸ ⟨τοῦ⟩ μᾶλλον καὶ ἀπὸ γένους καὶ τοῦ εἴδους, οἱ δὲ καὶ ἀνασκευαστικοὶ καὶ κατασκευαστικοί, ⟨οἱ⟩ ἀπὸ τοῦ ὅρου.

186. Τὰς δὲ λύσεις τῶν πίστεων, ἁπλῶς μὲν εἰπεῖν, ἀπὸ τῶν αὐτῶν τόπων ληπτέον ἀφ' ὧνπερ καὶ τὰς κατασκευὰς αὐτῶν λαμβάνομεν, καθ' ἕκαστον δὲ οὕτως· (**187.**) τὰς μὲν παραδειγματικὰς πίστεις οὕτως· ἢ γὰρ ψευδῆ τὰ λήμματα ἐροῦμεν, ἢ ἀνόμοιον δείξομεν τὸ παραλαμβανόμενον καὶ ἀνόμοιον οὐκ ἄλλοθεν ἀλλὰ κατ' αὐτὸ μάλιστα τὸ δοκοῦν συνέχειν τὴν ὁμοίωσιν, ἢ καὶ τοῦτο δόντες τὴν ἐπιφορὰν οὐ συγχωρήσομεν. οὐ γὰρ εἰ ἐπί τινων, καὶ ἐπὶ πάντων, ἢ ἐπί γε τούτου περὶ οὗ ἡ σκέψις, ὥσπερ καὶ Δημοσθένης· "σὺ δ' ἡμῖν μὴ λέγε, ὡς γέγονε τοῦτο πολλάκις· οὐ γὰρ εἴ τι πώποτε μὴ κατὰ τοὺς νόμους ἐπράχθη", καὶ ἑξῆς.

188. Τῶν δὲ ἀτέχνων πίστεων τοὺς μὲν νόμους ἢ ἀμφιβολίᾳ χρώμενοι καὶ οὐ τοῦτο εἶναι λέγοντες τὸ σημαινόμενον, ἀλλ' ἕτερον, ἢ τῆς μὲν λέξεως ἀφιστάμενοι, τὴν δὲ διάνοιαν ἐξετάζοντες τοῦ νομοθέτου ἐκ τῶν ῥηθέντων ἄλλο τι τὸ προκείμενον συλλογιζόμεθα, ἢ ἕτερον καὶ αὐτοὶ νόμον ἀντεισάγοντες· τὰ δὲ ψηφίσματα καὶ τοὺς χρησμοὺς καὶ τὰ συμβόλαια ὁμοίως ὥσπερ καὶ τοὺς νόμους λύσομεν.

189. Τὰς δὲ μαρτυρίας αἰτιασόμεθα ἤτοι φίλους εἶναι λέγοντες τοῖς ἀντιδίκοις τοὺς μάρτυρας ἢ ἡμῖν ἐχθροὺς ἢ δῶρα εἰληφότας ἢ

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183 1 αὐτοῦ *A*, corr. Seg. ‖ 2 ἡ – ἀτελής del. Wilam. **185** 11 οἷόν Sp. | add. Seg. ‖ 12 add. Seg. **186** 15 καθ' Sp. καὶ *A*. **187** 16 ⟨λύσομεν⟩ οὕτως Gr. | ἦ ante ἀνόμοιον Sp. καὶ *A*. **188** 26 ἀλλ' ὅτι *A*, corr. Seg. | συλλογιζόμενοι Gr.

its own natural state; but the results of a restoration are incomplete; pleasure of this sort is incomplete, and the incomplete is not a good; therefore pleasure is not a good. But if we wish to demonstrate that it is a good, we shall begin the argument again from a definition of the good; for example, that a good is what all things desire; all things desire pleasure, so it is a good. **184.** This follows, he says,[180] if what is in question does not include reference to a person; but if there is reference to a person it does not follow. But from this same (question) it is possible similarly to derive an epicheireme as to whether pleasure is a good for a king; for after defining the term we shall begin an argument in accord with this definition. **185.** Among these topics one should know the following point, that some of them are only refutative, as (the topic) from the more and from genus and species, while others are both refutative and affirmative, (for example,) those from definition.

186. Refutations of proofs, generally speaking, should be taken from the same topics from which we take arguments in support of them, and more particularly as follows.[181] **187.** Proofs based on paradeigms (we shall refute) in this way; for we shall either say that the example is false, or we shall show that the circumstance is dissimilar, and dissimilar not in other ways but most in the fact of its seeming to involve this likeness, or even granting this we shall not agree with the way the example is applied. For if it applies in certain cases, it also does not apply in all, or in this particular one with which the examination is concerned, as Demosthenes too (says): "Do not tell us how this has happened often; for if something was done once it does not follow it was done legally," and so on.[182]

188. In the case of non-artistic proofs, (we refute) laws either by an ambiguity (*amphibolia*) and saying that not this but something else is signified, or turning from the wording and examining the intent of the lawgiver we conclude from what has been said that the subject is something else, or we ourselves bring up another law.[183] We shall refute decrees and oracular responses and contracts similarly.[184]

189. We shall criticize the testimony of witnesses by saying that the witnesses are either friends of the opponents or hostile to us or have received

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[180] Probably Alexander.
[181] Cf. Aristotle, *Rhetoric* 2.25.13; Apsines, ch. 7.
[182] Demosthenes 22.7.
[183] Cf. Aristotle, *Rhetoric* 1.15.3–11, and Apsines 5.10 and 9.8.
[184] Cf. Apsines 4.11.

παρακεκλημένους ἢ ἔργον τὸ καταψευδομαρτυρεῖν ποιουμένους. ἀντιτάξομεν δὲ τοῖς μάρτυσι καὶ τὰ εἰκότα λέγοντες, ὅτι ταῦτα μὲν οὐδέποτε ψεύδεται, ἄνθρωποι δὲ πολλοὶ ψευδομάρτυρες ἑαλώκασιν.

190. Πρὸς δὲ τὰς βασάνους ὥσπερ καὶ πρὸς τὰς μαρτυρίας ἀπαντήσομεν. προσεξετάσομεν δὲ καὶ γένος τῶν βασανιζομένων καὶ τύχην καὶ ἡλικίαν· πρὸς δὲ τούτοις, ὅτι πολλοὶ τῶν βασανιζομένων διὰ τὰς βασάνους τινῶν ψευδῆ κατεῖπον· καὶ εἰ μὲν μεγάλαι εἶεν αἱ βάσανοι, διὰ τὸ μέγεθος αὐτοὺς καταναγκασθῆναι ψεύσασθαι ῥητέον· εἰ δὲ σμικραί, διὰ τὴν σμικρότητα καταπεφρονηκέναι.

191. Τοὺς δὲ ὅρκους ἀπὸ τῶν αὐτῶν ἀφ' ὧνπερ καὶ τὰς μαρτυρίας λύσομεν, ὅτι καὶ πρότερόν τινες ἐπιώρκησαν καὶ πάντες οἱ τὰ ἄδικα τολμῶντες οὕτως ἔχουσιν ὡς ἂν εἰ καὶ ἐπιορκήσαντες.

192. Τοῦτο δὲ δεῖ εἰδέναι, ὅτι ὅταν πλείω ἰσχυρὰ ἔχωμεν, ὀλίγα δὲ ἀσθενῆ, μετὰ τὰ ἰσχυρὰ τὰ ἀσθενῆ προσήκει τιθέναι· ὅταν δὲ ἰσχυρὸν ἓν ἔχωμεν, πλατὺ δὲ ᾖ, διελόντες αὐτὸ μέσον τὸ ἀσθενὲς θήσομεν, ὥσπερ καὶ Δημοσθένης πεποίηκε μέσον τάξας τὸ παράνομον. εἰ δὲ τούτων μηδὲν εἴη, τὸ ἀσθενὲς ⟨πρότερον⟩ τάξαντες οὕτως ἐπάξομεν τὸ ἰσχυρόν. **193.** ἔστι δὲ ὅτε καὶ ἀθρόα πλείω κεφάλαια θήσομεν ὅταν αὐτῶν αἱ κατασκευαὶ ἀπὸ τῶν αὐτῶν ὦσι τόπων. τοῦ δὲ ἀντιδίκου τότε μάλιστα θετέον ἀθρόα, ὅταν ἔμφασις ᾖ μάχης· εὐδηλοτέρα γὰρ οὕτως ἂν ἡ ἐναντίωσις γένοιτο· συγχυθήσονται δὲ ἐνίοτε τὰ κεφάλαια ὅταν τι σαφρὸν ἐν αὐτοῖς ᾖ κεφάλαιον. **194.** τὰ μὲν ἁπλᾶ καθ' ἑαυτὰ ἢ κατασκευάσομεν ἢ ἀνασκευάσομεν· (**195.**) τὰ δὲ διπλᾶ, ὡς ἐπὶ τῶν ἀντεγκλημάτων καὶ τῶν ἀμφισβητήσεων, ἐν οἷς παρεκτενοῦμεν τὸν λόγον, τὰ μὲν ἡμέτερα αὔξοντες, τὰ δὲ τῶν ἀντιδίκων μειοῦντες. διὸ καὶ τὸν Πλάτωνά τινες μέμφονται, ὅτι διπλοῦν ζήτημα, τὸ περὶ τοῦ ἔρωτος, χαριζόμενος τὸ ἕτερον ἀνεξέργαστον ἀπολέλοιπεν.

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190 5 προεξετάσομεν *A*, corr. Sp. **191** 12 ὡς ἂν [εἰ] Sau. ὡς ἂν εἰκῇ Seg. ὡς ἄν, εἰ ⟨χρεία⟩, καὶ ἐπιορκῆσαι Gr. **192** 14 μέσα [τὰ ἰσχυρὰ] Sau. μεταξὺ τῶν ἰσχυρῶν Gr. ‖ 17 εἴη Ha. ᾖ *A* τοῦτο μὴ ἐνείη Wilam. | ἀσθενέστερον *A*, corr. Seg. | add. Seg. **193** 19.20 τοὺς . . . ἀντιδίκους *A*, corr. Sp. ‖ 20 θετέον Sp. τέλεον *A* ‖ 20.21 εὐδηλότερ *A*, corr. Fi. | γένηται *A*, corr. Fi. ‖ 22 κεφάλαιον] ⟨τῶν δὲ⟩ κεφαλαίων praeb. ad init. c. 194 Wilam. **194** 23 ⟨ἃ⟩ καθ' Gr. **195** 25 παρεκτείνουσι μὲν *A*, corr. Sp. | τοῖς . . . ἡμετέροις *A*, corr. Sp.

gifts or have been forced to testify or in fact made to give false witness.[185] We shall draw up an attack on witnesses also by speaking probabilities, saying (probabilities) never lie while many human beings have been convicted of falsewitness.[186]

190. We shall oppose the evidence taken under torture in the same way as the evidence of witnesses. We shall examine the birth status of those who are being tortured and their fortune and age in life. In addition, (we shall say that) many of those tortured denounce people because of the pains. And if the pains are great, one should say that they have been forced to lie because of the great pain; and if small, that they disdained them for their smallness.[187]

191. We shall refute oaths by the same topics as testimonies, (saying) that in the past some have taken false oaths and that all who dare to do injustice are in a state of mind as if they had sworn falsely.[188]

192. One should recognize that whenever we have numerous strong points and few weak ones, it is fitting to put the weak ones after the strong; but when we have one strong point, and it is extensive, we shall divide it and place what is weak in the middle, as Demosthenes too did when he set the question of illegality in the middle.[189] But if this should not apply, after setting out the weak point we shall introduce the strong one.[190] **193.** Sometimes, (when refuting an opponent) we shall place many headings together when their supporting arguments derive from the same topics. Especially should one put the arguments of the opponent together when there is an implication[191] of inconsistency; for thus the conflict would be clearer. Sometimes the headings will be mingled when there is some unsound heading among them. **194.** Those that are simple we shall either refute or demonstrate by themselves; (**195.**) some are double, as in the case of counterclaims and disputes,[192] where we shall extend the discussion, amplifying our views and deprecating those of the opponents. For this reason some blame Plato because when favoring (Phaedrus) with a double question, that about love, he left one side undone.[193]

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[185] Cf. Apsines 5.12.
[186] Cf. Aristotle, *Rhetoric* 1.15.17.
[187] Cf. Aristotle, *Rhetoric* 1.15.26. On evidence from torture, see Michael Gagarin, "The Torture of Slaves in Athenian Law," *Classical Philology* 91 (1996) 1–18.
[188] Cf. Aristotle, *Rhetoric* 1.15.27–33.
[189] Demosthenes 18.110.
[190] Cf. Quintilian 5.12.14 and Apsines 5.22.
[191] *Emphasis*, cf. above, §78.
[192] *Amphisbētēses*, where there is something to be said on either side of an issue.
[193] The first speech of Socrates in Plato's *Phaedrus* describes the disadvantages of a lover as a companion; after Socrates stops speaking (241d) Phaedrus expresses disappointment that Socrates has not enumerated the reasons why a non-lover should be preferred.

196. Τὴν δὲ τῶν πίστεων ἑρμηνείαν οὔτε ἀφελῆ εἶναι δεῖ, καθάπερ ἐν τῇ διηγήσει, οὔτε ἀνηπλωμένην καὶ σπερματικῶς ἔχουσαν τὰ πράγματα, ἀλλὰ καὶ συνεστραμμένην καὶ οἷον εἰπεῖν κωνοειδῆ, καὶ τὸ σύνολον ἀγωνιστικήν. **197.** ἁρμόζεσθαι δὲ δεῖ τῇ ὑποκρίσει τὸν λέγοντα πρὸς τὸ σχῆμα τοῦ λόγου. τοσαῦτα καὶ περὶ πίστεων.

ΠΕΡΙ ΕΠΙΛΟΓΩΝ

198. Ἐπίλογός ἐστιν, ὡς μὲν Νεοκλῆς, λόγος ἐπὶ προειρημέναις ἀποδείξεσιν ἐπιλεγόμενος, πραγμάτων ἀθροισμὸν καὶ ἠθῶν καὶ παθῶν περιέχων. **199.** ὡς δέ τινες, μέρος λόγου ὕστατον ἑπόμενον ἀποδείξεσιν. **200.** ὡς δὲ Ἀλέξανδρος, λόγος ἐπιρρωννὺς τὰ εἰρημένα. **201.** περὶ δὲ τοῦ πότε αὐτῷ χρηστέον καὶ ποίαν αὐτῷ δοτέον τάξιν, ἐν τοῖς περὶ προοιμίων εἴρηται· τὰ γὰρ αὐτὰ καὶ ἐπὶ τῶν ἐπιλόγων εἰπεῖν ἔνεστιν. **202.** ἵνα δὲ μὴ θαυμάσῃ τις, εἰ συμβαίνει τὸ προοίμιον καὶ τὴν διήγησιν καὶ τὸν ἐπίλογον παραλείπεσθαι καὶ ἐν ἀποδείξεσι μόναις εἶναι τὸ ζήτημα, παραθησόμεθά τι τοιοῦτον· φέρε γὰρ ἐν σταδίῳ δρομεῖς δύο ἀμφισβητεῖν, τὸν μὲν εἰς τοὺς ὕσπληγας πρότερον εἰσπεσόντα, τὸν δὲ τὸ βραβεῖον κεκομισμένον· ἐνταῦθα γὰρ οὔτε τοῦ προοιμίου χρεία οὔτε τῆς διηγήσεως οὔτε ἐπιλόγου, ἀλλὰ μόνης ἀποδείξεως.

203. Διαιρεῖται δὲ ὁ ἐπίλογος εἰς εἴδη δύο, εἴς τε τὸ πρακτικὸν καὶ τὸ παθητικόν· καὶ τοῦ μὲν πρακτικοῦ ἐστιν ἡ ἀνακεφαλαίωσις, τοῦ δὲ παθητικοῦ τὸ τὰ πάθη κατασκευάζειν καὶ ῥωννύειν τὸν λόγον. **204.** ὅταν μὲν οὖν πολλὰ ᾖ τὰ εἰρημένα, ὥστε μὴ μεμνῆσθαι τοὺς ἀκούοντας, τῇ ἀναμνήσει χρησόμεθα· ὅταν δὲ ὀλίγα, παραλείψομεν τὴν ἀνάμνησιν. **205.** καὶ τὸ παθητικὸν δὲ μέρος ὡσαύτως· ὅταν μὲν

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196 2–3 καὶ – πράγματα del. Gr. **197** 4 ⟨καὶ⟩ τῇ Gr. ‖ 6 tit. del. Gr. **199** 9 ⟨ταῖς⟩ ἀπόδειξεισιν Wilam. **202** 16 δύο ἀμφισβητεῖν Seg. διαμφισβητεῖν *A* | συμπλῆγας *A*, corr. Seg. **204** 23 ᾖ Seg. εἴῃ *A*

196. The style of proofs should not be simple, as it should in the narration, nor detailed and containing the facts in summary form,[194] but should be both compressed and, as it were, "pointed," and altogether argumentative.[195] **197.** The speaker should fit his delivery to the style of his speech. So much about pisteis.

Chapter 4: On Epilogues

198. An epilogue, according to Neocles, is speech added to previously spoken demonstrations, providing a synthesis of facts and characters and emotions.[196] **199.** According to certain others,[197] however, (it is) the last part of a speech following demonstrations. **200.** According to Alexander, it is speech strengthening what has been said.[198] **201.** Concerning when one should use it and what place should be assigned to it there is discussion in the (notes) on prooemia; for it is possible to say the same things also on the subject of epilogues.[199] **202.** So that one may not wonder if it happens that the prooemion and the narration and the epilogue are omitted and the question is limited to demonstrations, we shall add the following example: Imagine two runners in a stadium disputing victory, one who was first to touch the starting ropes, one who has carried off the prize. Here there is no need of prooemion or narration or epilogue but only of demonstration.[200]

203. The epilogue is divided into two species, into the practical and the pathetical;[201] the recapitulation belongs to the practical (function), preparing the emotions and strengthening the speech belongs to the pathetical.[202] **204.** Now whenever many things have been said, so that the hearers do not remember (all), we shall use a reminder,[203] but when they are few, we shall omit the reminder.[204] **205.** And similarly with the pathetical part: for

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[194] Cf. Apsines 2.1 on the style of the preparation for the proof. Graeven regarded Alexander as the source of §§196–97.

[195] Cf. Apsines 8.19.

[196] Cf. below, §236.

[197] Apollodoreans; cf. §27 above.

[198] Alexander is apparently the source of §§199–209.

[199] Cf. above, §§3, 19–20, 27.

[200] A puzzling example. The author speaks of *apodeixis*, logical demonstration, but the only possible evidence against the decision of the judges would seem to be testimony of witnesses. The case seems to invite allegations of favoritism or foul play, which a prooemion, narration, and epilogue could exploit.

[201] Cf. Apsines 10.2, where the terms are "pragmatic" and "pathetical," and Quintilian 6.1.1 (*in rebus aut in adfectibus*). In §221 the author will substitute "pragmatic" for "practical"; probably he regarded the terms as interchangeable.

[202] Although Graeven regarded Neocles as the source of §§203–6, the appearance of "strengthen" seems to echo the definition attributed to Alexander in §200. Probably §§199–206 all derive from Alexander.

[203] *Anamnēsis*; cf. Apsines 10.3ff.

[204] Cf. Theon in Spengel II, p. 78.4–5, and Quintilian 6.1.8.

γὰρ περὶ τὸ πρᾶγμα πάθος ᾖ, τότε κινήσομεν· ὅταν δὲ μή [εἴη], παρήσομεν. ὥσπερ γὰρ τὰ ὀλίγα καὶ εὐμνημόνευτα εἰ πάλιν ἀναμνήσομεν, γελοῖον ποιήσομεν, οὕτως καὶ τὰ μὴ ἔχοντα πάθος ἂν παθαίνειν πειρασώμεθα, ἀπορήσαντες τοῦ τοιούτου γελοῖοι ἐσόμεθα. **206.** ὅτι δὲ καὶ ἡ ἀνακεφαλαίωσις καὶ τὰ πάθη πολλάκις ἐκλείπει, παράδειγμά ἐστιν ὁ Λυσίου λόγος, ὁ περὶ τοῦ κυνιδίου γεγραμμένος· οὔτε γὰρ ἀνακεφαλαίωσιν ἔχει διὰ τὸ ὀλίλον εἶναι καὶ εὐμνημόνευτον οὔτε πάθος διὰ τὸ μικρὸν εἶναι τὸ πρᾶγμα.

207. Ἔργον δὲ ἐπιλόγου Πλάτων μὲν ἐν Φαίδρῳ φησίν· "ἐν κεφαλαίῳ καταλέγοντα ὑπομνῆσαι ἐπιτελευτικοὺς τοὺς ἀκούοντας τῶν εἰρημένων". ἔχεται δὲ τῆς αὐτῆς δόξης καὶ Χρύσιππος· καὶ γὰρ αὐτὸς μονομερῆ φησι τὸν ἐπίλογον. **208.** Ἀριστοτέλης δὲ ἐν ταῖς Θεοδεκτικαῖς τέχναις φησίν, ὅτι "ὁ ἐπίλογος τὸ μὲν κεφάλαιον ἔχει προτρέψασθαι τοὺς ἀκούοντας· προτρέψομεν δὲ τριχῶς, εἰς τὰ πάθη ἀνάγοντες τὰ ἑκάστῳ προτρεπτικά. ἓν μὲν οὖν ἔργον ἐπιλόγου τὸ τὰ πάθη διεγεῖραι, δεύτερον τὸ ἐπαινεῖν ἢ ψέγειν· τούτων γὰρ ἐν ἐπιλόγοις ἡ χώρα· τρίτον δὲ τὸ ἀναμιμνῄσκειν τὰ εἰρημένα". **209.** οὔτε δὲ τὰ εὐμνημόνευτα οὔτε τὰ ἀπαθῆ κινητέον.

210. Ἔστι δὲ ἀνακεφαλαίωσις ἔκθεσις σύντομος προειρημένων κεφαλαίων ἢ ἐπιχειρημάτων, ἢ νὴ Δία προειρημένων διεξοδικῶν λόγων ἐπιδρομὴ ἀθρόα τῆς τῶν ἀκουόντων ὑπομνήσεως ἕνεκεν. **211.** τὴν δὲ ἀνακεφαλαίωσιν οὐκ ἐν τοῖς τελευταίοις μόνον, ἀλλὰ καὶ ἐν τοῖς μέσοις ποιούμεθα· ὅταν γὰρ πολλὰ ᾖ καὶ δυσμνημόνευτα, τότε καὶ πολλάκις αὐτὰ ἀναμνήσομεν, οὐ πάντα πολλάκις λέγοντες, ἀλλὰ τὰ μὲν ἤδη προειρημένα ἀναμιμνῄσκοντες, τὰ δὲ μετὰ ταῦτα πάλιν ἀνακεφαλαιούμενοι. **212.** ἀλλ' οὐδὲ τῶν εἰρημένων πάντα ἀνακεφαλαιωσόμεθα, ἀλλ' ὅσα μὲν ἰσχυρῶς ἐσμεν λελυκότες, ταῦτα ἀνακεφαλαιώσασθαι προσήκει, τὰ δὲ σαθρὰ παραλιπεῖν. οὐ μὴν οὐδὲ τὰ ἀναγκαῖα τῶν ἀντιδίκων κεφάλαια πάντοτε ἀναμνήσομεν, ἀλλ'

205 1 ᾖ Seg. εἴη *A* | del. Sp. **208** 14 τριχῶς del. Gr. ‖ 15 ἑκάστῳ *A* (per compendium) ἑκάστου Gr. **210** 20.21 διεξοδικῷ . . . ἐπιδρομῇ ἀθρόᾳ *A*, corr. Seg.

whenever there is emotion inherent in the subject, then we shall exploit it, but whenever there is not, we shall let it go. For just as in the case of few, easily remembered points, if we shall again bring in a reminder, we shall be doing something ridiculous, so also if we try to emotionalize things having no inherent pathos, we shall be ridiculous because of being at a loss for anything of the sort. **206.** That both recapitulation and emotional appeals are often omitted, an example is Lysias' speech written about the little dog;[205] for it has neither recapitulation, since the arguments are few and easily remembered, nor pathos, since the subject is a little one.

207. Plato in *Phaedrus* says the function of an epilogue is: "to remind the hearers at the end of what has been said by recounting it in a heading."[206] Chrysippus also holds to the same doctrine; for he says the epilogue is a unity.[207] **208.** Aristotle in the *Theodectean Art* says that "the chief function of the epilogue is to influence the hearers favorably; and we shall influence them in three ways by bringing them to the emotions that are influential to each. One function of an epilogue is to excite the emotions, a second to praise or blame; for the place for these is in epilogues; and the third to give a reminder of what has been said."[208] **209.** But one should not treat emotionally what is easily remembered nor what is lacking in emotion.

210. Recapitulation is a brief exposition of the headings or epicheiremes that have been previously discussed, or, by Zeus, a compact running over of the arguments spoken in detail earlier in order to remind the hearers of them.[209] **211.** We make a recapitulation not only at the ends (of speeches) but also in the middles; for whenever many things are hard to follow, then we shall bring them to memory often, not saying all many times but reminding about some already spoken and recapitulating others again after these.[210] **212.** But we shall not even recapitulate all of what has been said, but it is fitting for whatever we have strongly refuted to be recapitulated and what is weak to be left out. We shall certainly not in all cases remind (the hearers) of the headings necessary for the opponent's case, but (only)

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[205] Cf. above, §22 and note thereon.

[206] A paraphrase of Plato, *Phaedrus* 267d5–6.

[207] Cf. *Stoicorum Vetrum Fragmenta* II frag. 296, ed. von Arnim; Quintilian 6.1.7.

[208] Aristotle, fragment 134 ed. Rose; cf. Aristotle, *Rhetoric* 3.19.1. Quintilian was familiar with a work bearing Theodectes' name but expresses uncertainty (2.15.10) whether it was by Theodectes (sophist and playwright of the 4th cent. B.C.) or, "as most believe," by Aristotle. Aristotle's own reference to the *Theodectea* in *Rhetoric* 3.9.9 seems to imply it was his own work, probably based on the practice of his friend, Theodectes. The Anonymous' quotation is doubtless at second or third hand, derived from Neocles, as Graeven believed.

[209] Graeven regarded §§210–20 as derived from Neocles, but 215–20 may derive from Alexander as does 221–32. The oath "by Zeus" was used by Neocles in §46.

[210] Cf. *Rhetoric for Alexander* 1444b22–24; Apsines 10.3; *Scholia Demosthenica* 20.90.186b ed. Dilts.

ἐκεῖνα, ἃ τὴν ἀνάμνησιν ἀναγκαίαν ἔχει καὶ ἡμῖν χρήσιμον. **213.** τὴν δὲ τῶν κεφαλαίων ἀνάμνησιν ποτὲ μὲν μετὰ τῶν πίστεων ποιησόμεθα, ποτὲ δὲ ψιλήν. ὅταν μὲν οὖν ἢ ἰσχυραὶ ὦσιν αἱ πίστεις ἢ ἐξίτηλοι τοῖς ἀκούουσι, τότε ἀναμνήσομεν μετὰ τῶν ἀποδείξεων· ὅταν δὲ ἢ ἀσθενεῖς ὦσιν ἢ τοῖς ἀκούουσιν εὐμνημόνευτοι, ψιλῶν τῶν κεφαλαίων ἀναμνήσομεν.

214. Εἴδη δὲ τῆς ἀνακεφαλαιώσεως Νεοκλῆς μὲν τέτταρα εἶναί φησι, καθ' ὑπόθεσιν, κατὰ στάσιν, κατ' ἐπιχείρησιν, κατὰ τόπον. **215.** κατὰ μὲν οὖν ὑπόθεσιν ἀνακεφαλαίωσις γίνεται ὅταν αὐτὰ τὰ τὴν ὑπόθεσιν πεποιηκότα ψιλῶς ἐκτιθώμεθα, οἷον ἀσεβείας κρινομένη ἡ Φρύνη· καὶ γὰρ ἐκώμασεν ἐν Λυκείῳ ⟨καὶ⟩ καινὸν εἰσήγαγε θεὸν καὶ θιάσους ἀνδρῶν καὶ γυναικῶν συνήγαγεν· "ἐπέδειξα τοίνυν ὑμῖν ἀσεβῆ Φρύνην, κωμάσασαν ἀναιδῶς, καινοῦ θεοῦ εἰσηγήτριαν, θιάσους ἀνδρῶν ἐκθέσμους καὶ γυναικῶν συναγαγοῦσαν". ψιλὰ γὰρ νῦν τὰ πράγματα διηγεῖται. **216.** κατὰ στάσιν δὲ ἀνακεφαλαίωσις γίνεται ὅταν τὰ περὶ στάσεως ψιλῶς ἐκτιθώμεθα, οἷον ἔστω Φειδίας ὡς μὲν νοσφισάμενος ἐκ τοῦ Ὀλυμπίου χρυσίον, βασανιζόμενος καὶ τεθνηκώς. ἡ ἀνακεφαλαίωσις· "ἐπέδειξα τοίνυν μήτε ὑφῃρημένον Φειδίαν χρυσίον", ὅπερ στοχαστικόν. ἔτι τε "εἰ καὶ ὑφείλετο, κλέπτης, οὐχ ἱερόσυλος ἦν", ὅπερ ἐστὶν ὁριστικόν· ἔτι δέ, "εἰ καὶ ἱερόσυλος ἦν, κρίνειν ἐχρῆν πρότερον, οὐ βασανίζειν εὐθύς"· ἔτι τε, "εἰ ἔδει κρίνεσθαι, παρ' Ἀθηναίοις ἔδει", ὅπερ ἐστὶ μετάληψις. **217.** κατ' ἐπιχείρησιν δὲ ἀνακεφαλαίωσις γίνεται ὅταν τις τὰ ἰσχυρότατα ἐπιχειρήματα ἐκτιθῆται, οἷον ἔστω ὁ φιλόσοφος πείσας τὸν τύραννον καταθέσθαι τὴν τυραννίδα καὶ αἰτῶν τὸ γέρας. ἡ ἀνακεφαλαίωσις· "ἐπέδειξα ὑμῖν καὶ ἐκ τοῦ ὀνόματος τοῦ τυραννοκτόνου τὸν κτείνοντα μόνον δωρεᾶς ἄξιον, καὶ ἐκ τοῦ τὰς τοιαύτας δωρεὰς τοῖς κινδυνεύουσιν ἀποδιδόναι". **218.** κατὰ δὲ τόπον ἀνακεφαλαίωσις γίνεται ὅταν τὰ

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213 3 ἢ[1] Fi. μὴ *A* [μὴ] K. ‖ 5 ψιλῶς Sp. **215** 10 ἐκτιθέμεθα *A*, corr. Seg. | οἷον ⟨ἔστω⟩ Fi. ‖ 11 add. Fi. ‖ 12 [καὶ] θιάσους K. | συναναγοῦσαν *A*, corr. Seg. **216** 16 τὰς περιστάσεις *A*, corr. Seg. τὰς στάσεις Gr. | ἐκτιθέμεθα *A*, corr. Seg. ‖ 17 ⟨Διὸς⟩ Ὀλυμπίου Seg. ‖ 18 ἀφῃρημένον *A*, corr. Sp. ‖ 19 ἔτι Gr. ὅτι *A* **217** 22 ἐπιχείρησις *A*, corr. Seg. ‖ 24 [ὁ] Wilam.

those that need mention and are useful to us. **213.** We shall sometimes make a reminder of the headings together with their proofs, sometimes just of the headings. Whenever, then, the proofs are strong or fading in the hearers' minds, in that case we shall mention them together with the demonstrations; but whenever they are weak or easily remembered by the hearers, we shall make a reminder only of the headings.

214. Neocles says there are four species of recapitulation: by hypothesis, by stasis, by epicheireme, by topic. **215.** Recapitulation by hypothesis occurs whenever we[211] set out in an unelaborated way the things that have made up the hypothesis (of the speech); for example, that Phryne is accused of impiety;[212] for she revelled in the Lyceon and introduced a new god and conducted processions of men and women: "I have now shown you that Phryne is impious, revelled shamelessly, was the sponsor of a new god, and conducted illegal processions of men and women." (This is called "by hypothesis") for the plain facts have now been narrated. **216.** Recapitulation by stasis occurs whenever we set out matters relating to the question at issue in a plain way; let Pheidias be an example, tortured and put to death as having purloined gold from the Olympian.The recapitulation: "I have shown, then, that Pheidias did not steal the gold," which is conjectural stasis. And further, "If he stole it, he was a thief, not a temple robber," which is stasis of definition; and further, "Even if he was a temple robber, he should have been tried first, not immediately tortured"; and further, "If it was necessary for him to be tried, it should have been before Athenians," which is metalepsis.[213] **217.** Recapitulation by epicheireme occurs whenever someone sets out the strongest epicheiremes; let an example be the philosopher who persuaded the tyrannt to lay down his tyranny and sought the prize (for killing a tyrant).[214] The recapitulation (by the opponent): "I have shown you from the (etymology of the) word 'tyrannicide' that only the killer deserves a reward, and from the fact that such rewards are only given to those who have done the killing." **218.** Recapitulation by topic occurs whenever things included in some topic are briefly set out, like the

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[211] A return to Alexander as source of §§215–32; he will be named in §221.

[212] Hypereides was the author of a famous defense of the courtesan Phryne, prosecuted for impiety by Euthias; cf. Longinus, *On Sublimity* 35.2; Quintilian 10.5.2; Burtt, *Minor Attic Orators* II. pp. 584–87. The speech imagined here is a declamation against her.

[213] Metalepsis ("objection") is a claim that a case does not fall within the jurisdiction of the court; cf. Heath, pp. 54–55 and 134–41. In the declamation here mentioned, the Eleians are been prosecuted by an Athenian for illegally putting Pheidias to death; the situation is not historical. For the sculptor Pheidias as a character in declamations, cf., e.g., Seneca, *Controversiae* 8.2.

[214] The ex-tyrant is then killed by someone else; both the philosopher and the killer demand the prize. For the theme, cf. Hermogenes, *On Stases* p. 59,19, ed. Rabe; Heath, pp. 103–4.

ἔν τινι τόπῳ ἐμπεριεχόμενα συντόμως ἐκτιθῆται, ὡς ἐν ταῖς συμβουλαῖς ἡ ἀνακεφαλαίωσις· "ἐπέδειξα ὑμῖν καὶ δίκαιον καὶ συμφέρον καὶ πρέπον καὶ δυνατὸν καὶ ῥᾴδιον". **219.** δεῖ δὲ ἀναμιμνῄσκειν συντόμως, οὐκ ἐκ τοῦ φανεροῦ τὴν ἀνάμνησιν εἰσάγοντας, οἷον "βούλομαι δ' ὑμῖν ἄνωθεν περὶ ὧν εἶπον διελθεῖν". καὶ γὰρ μειρακιῶδες, φησί, τὸ τοιοῦτο, καὶ ἅμα δόξει περιττὸν γίνεσθαι. **220.** κατὰ δὲ τὰ στοχαστικὰ ζητήματα τοῖς μὲν κατηγόροις χρήσιμον τὸ ἀνακεφαλαιώσασθαι· καθ' ἑαυτὰ μὲν γὰρ ἕκαστα τῶν κεφαλαίων ἀσθενῆ, τεθέντα δὲ ὁμοῦ τὰ πάντα ἰσχυρὰν ποιήσει τὴν ἀπόδειξιν· τοῖς δὲ ἀπολογουμένοις οὐ πάνυ.

221. Περὶ τῆς κατὰ τὴν ἀνακεφαλαίωσιν ἑρμηνείας Ἀλέξανδρος ὡδὶ γράφει· λέξις δὲ ἀνακεφαλαιωτικὴ ἀκριβὴς ἔστω, καὶ ὡς ἐπὶ τὸ πλεῖστον μὲν κυρία, μεμίχθω δέ, ἂν δέῃ, καὶ τροπικῇ. σχήματα δὲ ἔστω ποικίλα· καὶ γὰρ εἰρωνευόμενοι λέξομεν καὶ πρὸς τοὺς ἀντιδίκους ἀποστρέφοντες τὸν λόγον καὶ πρὸς τοὺς δικαστάς, καὶ ἁπλῶς πάντα τὰ σχήματα ἐπιδέχεται τοῦτο τὸ μέρος τοῦ λόγου. καὶ περὶ μὲν τοῦ πραγματικοῦ τοσαῦτα· περὶ δὲ τοῦ παθητικοῦ ἤδη ῥητέον, καὶ πρῶτόν γε τί ἐστι πάθος.

222. Ὡς μὲν οὖν Ἀλέξανδρός φησι, πάθος ἐστὶν ὁρμὴ ἀπεστραμμένη τὸν αἱροῦντα λόγον· (**223.**) ὡς δὲ Νεοκλῆς, πρόσκαιρος κατάστασις ψυχῆς σφοδροτέραν ὁρμὴν ἢ ἀφορμὴν κινοῦσα. **224.** πάθη δέ ἐστι τὰ πρῶτα τέσσαρα, λύπη, φόβος, ἐπιθυμία, ἡδονή. καὶ λύπη μέν ἐστι συστολὴ ὡς ἐπὶ κακῷ παρόντι, φόβος δὲ φυγὴ ὡς ἐπιφερομένου κακοῦ, ἐπιθυμία δὲ ἄλογος ὄρεξις, ἡδονὴ δὲ ἄλογος ἔπαρσις. **225.** λύπης μὲν οὖν ὡς πρὸς τὸ παρὸν εἴδη ἔλεος καὶ φθόνος. καὶ ἔλεος μέν ἐστι λύπη ὡς ἐπ' ἀναξίως δυστυχοῦντι, φθόνος δέ ἐστιν ἐπὶ τῇ τοῦ πέλας εὐπραγίᾳ χωρὶς τῆς ἐπὶ τὰ οἰκεῖα διαφορᾶς. **226.** φόβου δὲ εἴδη αἰσχύνη καὶ ἀγωνία, ὧν αἰσχύνη μὲν φόβος ἀδοξίας ἀγωνία δὲ φόβος διαπτώσεως. **227.** τῆς δὲ ἐπιθυμίας εἴδη ὀργὴ καὶ θυμός,

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218 1 ἐκτίθεται *A*, corr. Seg. ‖ 2 ἢ ἀνακεφαλαιώσεσιν *A*, corr. Sp. **219** 6 περιττὴ *A*, corr. Sau. **220** 7 τοῖς μὲν κατηγόροις Sp. τοῖς κατηγόροις coni. Kennedy τοῖς τε καλῶς A^2 . . . . τοι . . . γ . . κ.ρ . . . A^1 τοῖς τε κατηγορικῶς λεγομένοις Seg. forte μὲν delendum est **221** 13 προπική *A*, corr. Seg. **222** 19 ὡς] ὁ Sp. ‖ 19.20 ἀπεστρ. A^2 ἀντεστρ. A^1 ἀνατετραμένη Seg. **224** 23 ὡς² ⟨ἀπ'⟩ Gr. **226** 28 ἀδοξίας Fi. coll. D.L. 7.112 ἥττης *A* | διαπτώσεως ⟨ἢ φόβος ἥττης⟩ Fi.

recapitulation in deliberative speeches: "I have shown you (that this proposed action) is just and beneficial and appropriate and possible and easy." **219.** One should recapitulate briefly, not introducing the reminder obviously, as in "I wish to go through for you from the beginning what I have been talking about"; for anything like this is childish, he says,[215] and at the same time will seem excessive. **220.** In conjectural questions,[216] to have given a recapitulation is useful to prosecutors; for each of the headings by itself is weak, but put together they all will make the demonstration strong; but it is not always (useful) for defendants.[217]

221. On the style (*hermēneia*) in recapitulation Alexander writes as follows: Let word choice (*lexis*) in recapitulation be exact, and for the most part (use) words in their proper meanings, but if there be need, let it be mixed with tropes as well. Let the figures be varied; for we shall disguise our meaning when speaking, turning back and forth to the opponents and the judges, and, simply put, this part of the speech admits all figures. So much for the pragmatic (aspect of an epilogue); now something must be said about its pathetical (aspect),[218] and first, what pathos is.

222. As Alexander says, pathos is an impulse turning away the dominance of reason; (**223.**) but according to Neocles, (it is) a temporary condition of the soul arousing a rather strong positive or negative impulse.[219] **224.** The four primary passions are: distress, fear, desire, pleasure.[220] Distress is a cringing as at a present evil, and fear is flight as from a coming evil, and desire is an irrational longing, and pleasure is an irrational elevation. **225.** Now the species of distress, as applied to the present, are pity and envy. And pity is distress, as for one suffering undeserved misfortune,[221] and envy is (distress) at the success of a neighbor apart from the difference in households.[222] **226.** The species of fear are shame and anguish, of which shame is fear of disgrace,[223] and anguish is fear of failure.[224] **227.** The species

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[215] Alexander?

[216] I.e., when the defendant denies the action was committed.

[217] Cf. §§219–20 with Quintilian 6.1.1–2.

[218] Cf. above, §203.

[219] The following discussion is apparently an abridged version of the account of *pathē* in the lost treatise *On the Emotions* by the third cent. B.C. Stoic philosopher Chrysippus; cf. Diogenes Laertius 7.111–14 and §6 above with note thereon. Aristotle had listed the emotions to be aroused in the epilogue as pity, indignation, anger, hatred, envy, emulation, and strife; cf. *Rhetoric* 3.19.3. Neocles seems to continue as the source through §234.

[220] I.e., *lypē, phobos, epithymia, hēdonē.*

[221] Cf. Aristotle, *Rhetoric* 2.8.1 and Apsines 10.15–47.

[222] I.e., one does not envy the success of a noble or rich neighbor but would envy the success of one deemed a social inferior; cf. Aristotle, *Rhetoric* 2.10.1

[223] The manuscript reads "fear of defeat," which is perhaps what the author wrote but is a mistake corrected by Graeven from Diogenes Laertius 7.112.

[224] Cf. *Stoicorum Veterum Fragmenta* 3.98, ed. von Arnim.

ὧν θυμός ἐστιν ὁρμὴ βίαιος πρὸς κακοποιΐαν, ὀργὴ δέ ἐστιν ἐπιθυμία τιμωρίας. **228.** τῆς δὲ ἡδονῆς εἴδη ἐπιχαιρεκακία ⟨καὶ⟩ ἀπόλαυσις, ὧν ἡ μὲν ἐπιχαιρεκακία ἡδονὴ ἐπὶ τῇ τοῦ πέλας κακοπραγίᾳ, ἀπόλαυσις δὲ ἡδονὴ ὡς ἀνεμπιπλαμένου μετὰ θαυμασμοῦ. τὰ μὲν οὖν πάθη ταῦτα εἰς τὸν ἐπίλογον ἁρμόζει.

229. Ἔργον δὲ ἐπιλόγου ἢ προϋπάρχοντα πάθη αὐξῆσαι ἢ ἐμποιῆσαι μὴ ὄντα. **230.** μεγάλην δὲ ἔχει ῥοπὴν ἐν τοῖς ἐπιλόγοις ἡ αὔξησις, περὶ ἧς λεκτέον· αὔξησίς ἐστι λόγος μεῖζον ποιῶν φαίνεσθαι τὸ πρᾶγμα, μείωσις δὲ λόγος μεῖον ποιῶν φαίνεσθαι τὸ πρᾶγμα. **231.** λαμβάνεται δὲ τὰ πάθη ἀπὸ τῶν αὐτῶν ἀφ' ὧνπερ καὶ τὰ ἐπιχειρήματα· καὶ γὰρ ὀργήν τις κινεῖν ἀπὸ τῶν αὐτῶν δύναται τούτων καὶ πειθώ. **232.** χρήσιμοι δὲ ἐν τοῖς ἐπιλόγοις καὶ αἱ ἀντεξετάσεις προσώπων πρὸς πρόσωπα, πράξεων πρὸς πράξεις. **233.** κινεῖ δὲ [πρὸς] πάθος καὶ ἡ διατύπωσις, ὅταν τις διατυπώσῃ τὸν τετελευτηκότα λέγοντα, οἷον εἰ τύχοι· "φεῖσαι, πάτερ". κινεῖ πάθος καὶ ὅταν περὶ τοῦ σχήματος διαλέγηται, οἷον εἰ τύχοι· "ὅπως μὲν ἐπὶ γῆς ἔκειντο, ὅπως δὲ οὗτος παρειστήκει μετὰ τοῦ ξίφους". ἐπεὶ δὲ καὶ τὴν διατύπωσιν ἔφαμεν πάθη κινεῖν, ῥητέον, τίς ἐστιν ἡ διατύπωσις. διατύπωσίς ἐστιν ἐναργὴς καὶ ἐξειργασμένη φράσις τῶν ψιλῶς καὶ ἁπλῶς ἐν τῇ διηγήσει λεγομένων, ὑπ' ὄψιν ἄγουσα τὸ πρᾶγμα. **234.** κινεῖ δὲ ἔλεον καὶ τὸ τοῖς μηκέτ' οὖσι διαλέγεσθαι, ὡς Εὐριπίδης πεποίηκε λέγειν τὴν Ἑκάβην καὶ ὁ Σοφοκλῆς τὴν Ἠλέκτραν. ὅλως τε ἀφορμὰς ἕξεις εἰς τὸν παθητικὸν τόπον τὰ τῶν τραγῳδοποιῶν δράματα. **235.** προνοητέον δὲ ἐν τοῖς ἐπιλόγοις, ὅπως, ἐὰν κατηγορῶμεν, δύσνουν τὸν ἀκροατὴν ποιήσωμεν τῷ φεύγοντι, ἐὰν δὲ ἀπολογώμεθα, εὔνουν ἑαυτοῖς τὸν ἀκροατὴν καταλείψωμεν.

236. Γνωστέον δέ, ὡς οὐκ ἀπὸ τοῦ παντὶ λόγῳ ἐπιλέγεσθαι, ὥς τινες ᾠήθησαν, ἐπίλογος κέκληται, ἀλλὰ παρὰ τὸ μηκέτι εἶναι μέρος

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227 1 ὁρμὴ Fi. ὀργὴ *A* **228** 2 add. Seg. **231** 11 τούτων] τόπων Wilam. | πειθὼ Sp. πάθος *A* ⟨ἄλλο ὁτιοῦν⟩ πάθος Gr. **233** 13 del. Sp. πρὸς ⟨τούτοις⟩ Gr. ‖ 15.16 τοῦ πράγματος *A*, corr. Sp. **236** 27 ἀπὸ τοῦ Seg. κατὰ τοῦ *A* κατὰ τὸ Gr.

of desire are anger and wrath, of which wrath is a strong impulse for doing harm,[225] and anger is a desire for revenge.[226] **228.** The species of pleasure are spite and enjoyment, of which spite is pleasure at the misfortune of a neighbor, and enjoyment is pleasure as having been marvelously fulfilled. These emotions, then, are fitting for the epilogue.

229. The function of an epilogue is to amplify already existing emotions or to create them if they do not exist. **230.** Auxesis has great weight in epilogues and must be discussed here. Auxesis is speech that makes the subject seem greater and meiosis is speech that makes the subject seem less.[227] **231.** The emotions are derived from the same sources as epicheiremes; for one can arouse anger and persuasion from these same things. **232.** Contrasts of person against person, of deeds against deeds are useful in epilogues.[228] **233.** Diatyposis also arouses emotion whenever someone gives a special stamp to a deathbed speech;[229] for example, if it should occur, "Spare (him), father." It arouses emotion also whenever there is mention of the appearance (of something); for example, if it should occur, "(See) how they lie on the ground, how he stands in the midst of them with his sword."[230] Since we[231] have said that diatyposis arouses emotions, we should say what diatyposis is. Diatyposis is a clear and elaborated expression of things said plainly and simply in the narration, bringing the subject before the eyes.[232] **234.** It moves pity also to address those no longer alive, as Euripides made Hecuba speak and Sophocles made Electra.[233] And all in all, you will have the dramas of the tragic poets as starting places for the topic of pathos.[234] **235.** One should, however, foresee in epilogues how, if we are prosecuting, we may make the hearer hostile to the defendant, and if we speak for the defense, how we may leave the hearer well-disposed to ourselves.[235]

236. One should know that an epilogue is not so named from being spoken after a whole speech, as some have thought,[236] but by there no

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[225] Cf. the pseudo-Platonic *Definitions* 415e5.

[226] Cf. Aristotle, *Rhetoric* 2.2.1.

[227] Cf. above, §§106 and 160.

[228] Cf. Apsines 10.49 and 52.

[229] On deathbed commands, cf. Apsines 10.47.

[230] The context might be a speech for Hecuba or someone else in a declamation on the fall of Troy.

[231] Alexander probably becomes the source for §§233–35 and perhaps also for 236–43.

[232] *Diatypōsis* is a rather general term for vividness; cf. Theon in Spengel II p. 108. *ad fin*; Quintilian 9.2.40; Longinus, *On Sublimity* 20.1; Alexander, *On Figures* in Spengel III p. 25.

[233] Cf. Euripides, *Hecuba* 585–628, and Sophocles, *Electra* 1126–70.

[234] Cf. Quintilian 6.2.20.

[235] Most rhetoricians advised a combination of these goals by both speakers; cf. Aristotle, *Rhetoric* 3.19.1; Quintilian 6.1.11.

[236] Cf. Syrianus in Walz IV 414.17 = VII 344.27, but the original source is unknown.

λόγου ἄλλο τὸ μετὰ τὴν διήγησιν καὶ τὰς πίστεις [καὶ τὰ πάθη]. ὅτι γὰρ οὐ διὰ τοῦτο κέκληται ἐπίλογος, διὰ τὸ παντὶ λόγῳ ἐπιλέγεσθαι, ἱκανῶς ἐδήλωσαν οἱ ἀρχαῖοι. Δημοσθένης καὶ ἀνεκεφαλαιώσατο ἐν μέσῳ καὶ τὰ δεινωτικὰς ὕλας παρέσπειρεν ἑκάστῳ κεφαλαίῳ, ἅπερ ἐστὶ τοῦ ἐπιλόγου.

237. Διαφέρει δὲ ὁ ἐπίλογος τοῦ προοιμίου καὶ κατὰ τὴν λέξιν καὶ κατὰ τὴν διάνοιαν· κατὰ μὲν τὴν λέξιν, ὅτι ἐν ἐκείνῳ μὲν μετρίαν εἶναι δεῖ καὶ ἠπίαν, ἐν τούτῳ δὲ συγκεκινημένην καὶ πολλὰς ἐμβοήσεις ἔχουσαν καὶ σχετλιασμούς· κατὰ δὲ τὴν διάνοιαν, ὅτι ἐκεῖ μὲν πάθος ἐμποιῆσαι δεῖ, ἐνταῦθα δὲ προϋπὸν αὐξῆσαι καὶ ἐπιρρῶσαι. **238.** ἡ δὲ ἑρμηνεία καὶ πάνυ πως ἁρμόζοι ⟨ἂν⟩, εἰ θρασεῖα εἴη καὶ τετολμημένη, καὶ ἥ τε λέξις πολλὴν ἔχουσα τὴν τροπικὴν παρασκευήν, ἥ τε σύνθεσις κεκαινωμένη καὶ παρακινοῦσα τὴν ψυχήν. καὶ τὸ σχῆμα δὲ σχετλιασμοὺς ἐχέτω καὶ εὐχὰς καὶ τὰ τοιαῦτα.

239. Γνωστέον δέ, ὅτι τὰ πάθη καὶ ἐν τοῖς κεφαλαίοις μέσοις παραληφθήσεται, μάλιστα ἐπὶ τῶν ἀσθενῶν ὑποθέσεων. συμπεριστέλλεται γὰρ τὸ ἀσθενὲς τοῦ πράγματος τῇ τῆς παθητικῆς ἰδέας ὑπερβολῇ, καὶ ὁ κριτὴς μεθυσκόμενος τοῖς πάθεσιν οὐκέτι τὸ ἀκριβὲς διορᾷ τοῦ πράγματος, ὅπερ καὶ Δημοσθένης πεποίηκεν ἐν τῷ παραπρεσβείας· καὶ γὰρ ἀνεκεφαλαιοῦτο ἐν μέσοις καὶ τὰς αὐξητικὰς ὕλας ἑκάστῳ παρέσπειρε τῶν κεφαλαίων.

240. Ὡς μὲν οὖν συντόμως εἰπεῖν, ἡ φράσις ἔστω τῶν μερῶν τοῦ λόγου τοιαύτη· τοῦ μὲν προοιμίου ἀπερίεργός τε καὶ ἥκιστα σημειώδης, καὶ σπερματικῶς ἔχουσά τινα τῶν πραγμάτων τῆς διηγήσεως. **241.** ἡ δὲ διήγησις θρασυτέρα μὲν καὶ πρὸς τὰ προοίμια καὶ μᾶλλον κεκινδυνευμένη, τηροῦσα μέντοι τὸ μέτρον τοῦ λόγου. **242.** τῶν δὲ πίστεων ἐναγώνιός τε καὶ πικρὰ καὶ περιόδοις καὶ κώλοις ἀνυομένη. κῶλον μὲν οὖν ἐστι διανοίας μέρος ἀπαρτίζον πρὸς ἕτερον κῶλον

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236 1 del. Sp. | καὶ τὰ] ἢ τὰ Seg. || 4 παρέπειρεν *A*, corr. Seg. **237** 10 προϋπὸν Fi. πρόσωπον *A* προσὸν Sp. **238** 11 ἁρμόζει Seg. | add. Wilam. || 13 κεκενωμένη κ. παρακρινοῦσα *A*, corr. Seg. **239** 21 παρέπειρε *A*, corr. Seg. **240** 23.24 συσσημειώδης *A*, corr. Sp. | 24 [καὶ – διηγήσεως] Gr. **241** 25 τῆς δὲ διηγήσεως K. | [καὶ[1]] Fi.

longer being any other part of a speech after the narration and the proofs.[237] That the epilogue is not so named for the former reason, because it is spoken as an addition to a whole speech, the ancients have made sufficiently clear. Demosthenes both recapitulated (arguments) in the middle and scattered the most powerful material among each heading, things which are characteristic of the epilogue.

237. The epilogue differs from the prooemion both in word choice and in thought; in word choice, because in the prooemion it should be moderate and mild, but in the epilogue excited and including exclamations and complaints; in thought, because in the epilogue there is need to create emotion, but in the prooemion to amplify and strengthen the pre-existing situation.[238] **238.** The style (*hermēneia*) (of the epilogue) would somehow fit all together if it were bold and daring, the word choice (*lexis*) having much provision for tropes and the composition (*synthesis*) novel and affecting the soul. And let the figuration have complaints and prayers and such like.[239]

239. One should know that emotions will also be brought into the middle of the headings, especially in the case of weak hypotheses. For the weakness of the subject is cloaked by the excess of the emotional thought, and the judge, intoxicated by the emotions, no longer accurately sees through the subject, which Demosthenes too accomplished in the speech *On the False Embassy*; for he recapitulated in the middle[240] and scattered the amplified material in each of the headings.

240. To speak briefly (of the style), let the diction (*phrasis*) of the parts of the speech be as follows:[241] of the prooemion, not worked and not at all remarkable, and sowing some seeds for the subjects of the narration. **241.** The narration (should be) more spirited and, compared with the prooemia, also more daring, keeping, however, to the measure of the speech. **242.** (The language) of the proofs (should be) contestive and pointed and effected with periods and cola. Now a colon is a part of a thought completed by another parallel colon; for example, "Then will not even one

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[237] Graeven interpreted this (which he attributed to Neocles) to mean that the *epilogos* is so called as something spoken after the narration and argument and no longer a "part" of the oration but a supplement that can be in this position or elsewhere (i.e. interspersed). On recapitulation in different parts of a speech see Apsines 10.3.

[238] Cf. above, §§19–20, a passage also attributable to Alexander.

[239] Cf. Apsines 10.48. Graeven regarded Alexander as the source of §238.

[240] Demosthenes 19.177–78.

[241] Cf. above, §19. Graeven regarded Alexander as the source of sections 240–43.

παρακείμενον, οἷον "εἶτα τὸν μὲν χορευτὴν οὐδὲ ὁ προσκαλέσας ἀζήμιος ἔσται;". τοῦτο γὰρ ἕν ἐστι κῶλον· εἶτα τὸ ἑξῆς· "τὸν δὲ χορηγὸν οὐδὲ ὁ συγκόψας παρὰ πάντα τὸν νόμον;". ἢ ὡς ἔνιοι, κῶλόν ἐστι νοήματός τινος περιγραφή. περίοδος δέ ἐστι λόγος διάνοιαν ἀπαρτίζων αὐτοτελῆ ἐκ κώλων συγκείμενος. **243.** ἡ δὲ τῶν ἐπιλόγων φράσις παθητική ἐστι καὶ τολμηροτέρα τοῖς νοήμασι καὶ ταῖς δεινώσεσι καὶ τοῖς σχετλιασμοῖς περιπαθεστέρα.

Ὡς μὲν οὖν συντόμως χαρακτηρίσαι τὴν λέξιν τῶν τοῦ λόγου μερῶν, ἱκανῶς εἴρηται· ὡς δὲ διὰ μακροτέρων, ὡδί. θήσω δὲ ταῦτα ἐκ τῆς Ἁρποκρατίωνος τέχνης. **244.** τῆς δὲ λέξεως προοιμίῳ μὲν ἁρμόσει τὸ πολιτικὸν καὶ μηδαμῇ τροπικόν, ἀλλ' ἐγγυτάτω τοῦ κατὰ φύσιν· προκατάστασις γάρ ἐστι τὸ προοίμιον τοῦ λόγου, αἱ δὲ τροπαὶ ταῖς καταφοραῖς μᾶλλον ἁρμόσουσιν. οὐ μήν, φησίν, ἐπειδὴ τὸ παρατετραμμένον καὶ παράθερμον παραιτούμεθα, ἄτονον καὶ νωθρὸν εἶναι δεῖ τὸν λόγον, ἀλλ' ὡς ἔνι μάλιστα κινητικὸν τοῦ ἀκροατοῦ. **245.** δεῖ δέ, φησί, μήτε περιόδοις μακραῖς χρῆσθαι· προαποκάμνει γὰρ ὁ ἀκροατὴς καὶ προεκλύεται· ἀλλὰ περιστέλλειν καὶ μὴ περιουσιάζειν. γίνεται δέ, φησί, τοῦτο διὰ τῆς κυριότητος. **246.** εὐρυθμότατα δέ, φησί, τῶν νοημάτων τὰ ταῖς περιγεγραμμέναις προθέσεσι περιγεγραμμένας ἐπιφορὰς ἀποδιδόντα, οὐ μὴν ἀλλ' ἐνίοτε ἐναγώνιον ἔσται τὸ τοιοῦτον, ἐνίοτε δέ, φησίν, οὐ τοῦ περὶ τὴν ἀπόδοσιν εὐρύθμου, ἀλλὰ τοῦ περὶ τὴν διάνοιαν χρησίμου προνοητέον, ὥσπερ καὶ Δημοσθένης ἐν τῷ περὶ τοῦ στεφάνου· τὴν γὰρ δευτέραν ἐπιφορὰν ἀπεριγράφως ἐξέτεινε διὰ τὸ πλειόνων κατασκευῶν δεῖσθαι.

Περὶ ⟨μὲν⟩ οὖν προοιμίων τοσαῦτα. περὶ δὲ τῆς διηγήσεως εἴρηται ἐν τῷ περὶ εὑρέσεως δευτέρῳ τόμῳ.

247. Ταῖς δὲ κεφαλαιώδεσι κατασκευαῖς διάφορος ὁ τῆς λέξεως χαρακτήρ. ὡς γὰρ καθόλου, φησίν, εἰπεῖν, πάντα μετὰ βάρους προακ-

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242 5 συγκειμένη *A*, corr. Fi. **243** 6 ἔστω Seg. del. Sp. | νοήμασι] σχήμασι Wilam. **245** 17 συστέλλειν Gr. **246** 23 περιφορὰν *A*, corr. Fi. || 25 add. Wilam.

issuing a summons to the choreutes be dishonored?" For this is one colon; then what follows (is the other): "And will not even one striking the choregus against all law (be punished)?"[242] Or, as some (say), a colon is the conclusion of some thought. And a period is a statement composed of cola, articulating a thought that is complete in itself.[243] **243.** The diction of epilogues is emotional and more daring in thoughts and forceful expression and more passionate in cries of indignation.

Enough has been said to characterize word choice briefly in the parts of a speech; what follows goes into the matter at greater length. I shall take these remarks from the *Art* of Harpocration.[244] **244.** Word choice common in civic life and not using tropes but closest to nature will be suitable to a prooemion, for the prooemion of the speech is a preparation for the proof,[245] and tropes are more suitable for attacks. Yet, he says, when we are conciliating alienation and strong hostility, the speech should not be slack and sluggish but as much as possible should arouse the hearer. **245.** And he says one should not use long periods; for the hearer tires and is wearied in advance (of the rest of the speech), but (one should) cast a cloak around (what you will say) and not speak at great length. This is done, he says, through use of words in their proper meaning. **246.** And he says that the most rhymical thoughts are those adding limited second clauses to limited propositions, not that at times such a thing will not be contentious, but, he says, sometimes one should give forethought not about a good rhythm in the apodosis (of the sentence) but about what is useful for the thought, as Demosthenes (did) in *On the Crown*; for he stretched out the second clause without limiting it through the need of more proofs.[246]

So much, then, about prooemia. (Diction) in the narration has been discussed in the second volume on invention.[247]

247. In proofs by headings there is a different type of word choice. To speak in general terms, (Harpocration) says, everything should be brought

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[242] Demosthenes 21.57. This definition and example of a colon appear almost word for word in a longer passage on cola attributed to Cornutus in Walz VII p. 931. This is one of the main reasons why Graeven (p. xxx) regarded the Anonymous Seguerianus as an epitome; cf. Introduction.

[243] Cf. *Rhetoric for Herennius* 4, 27; Alexander, *On Figures* 2.1 in Spengel III p. 27.17–11, and the *excerpta* in Walz VII p. 891. In contrast, Aristotle (*Rhetoric* 3.9.3) had defined a period as "an expression having a beginning and end in itself and a magnitude easily taken in at a glance"; cf. Demetrius, *On Style* 11–12. In the Latin tradition beginning with Cicero the rhythmic quality of cola and periods is stressed; cf. *Orator* 187; Quintilian 9.4.123–29; additional references in Martin, pp. 316–20.

[244] On Harpocration, cf. Introduction and above, §§8, 104, and 159.

[245] *Prokatastasis*; cf. Apsines, ch. 2.

[246] What passage in *On the Crown* Harpocration had in mind is uncertain.

[247] This probably refers not to the second book of Harpocration's *Technē* but to §§137–42 above and, if so, indicates that each of the chapters of the work was written on a different papyrus roll.

τέον καὶ οὐχ ἁπλῇ οὐδὲ διακεκομμένῃ τῇ φράσει. **248.** ὡς μέντοι κατὰ τὴν ἰδίαν προαγωγήν, καλὸν τὰς μὲν τῶν ἐπιχειρημάτων θέσεις ἁπλᾶς καὶ σαφεῖς εἶναι, προάγεσθαι δὲ αὐτὰς λαγαρώτερον, πυκνῶς μέν, διεξοδικῶς δ' ⟨οὐ⟩ πλὴν ἐὰν ἄρα μὴ κατασκευὰς ἑτέρας ἔχῃ· ὅταν γὰρ τὸ ἐπιχείρημα δέηται ἔξωθεν κατασκευῆς οὐκ ἐνθυμηματικῶς, ἀλλὰ σὺν καταστάσει παραβεβλημένης, ποικιλώτεροι καὶ οἱ σχηματισμοὶ γίνονται τοῦ λόγου ταῖς προειρημέναις παρενθέσεσι καὶ ἐπαναγωγαῖς. ἐὰν δὲ αὐτὸ ἐφ' ἑαυτοῦ προάγωμεν, μέλλει τὸ ἐπιχείρημα τὴν προαγωγὴν ἁπλῶς πολιτικὴν λαμβάνειν. **249.** τὸ δὲ ἐνθύμημα πολλάκις μὲν καὶ ἁπλῇ λέξει προάγεται, ἡ δὲ οὖν οἰκεία λέξις αὐτοῦ κατὰ τὰς παρισώσεις καὶ τὰς ἀντιστροφάς ἐστι· ταῦτα γὰρ τὰ δύο σχήματα τοῖς ἀντιθετικοῖς ἁρμόζει. ἐνθυμηματικώτερον δὲ τῶν περὶ τὴν διάνοιάν ἐστι σχημάτων τὸ ἀντιθετικόν, συνακτικὸν καὶ βιαστικὸν τοῦ προκειμένου. **250.** τὸ δὲ ἐπενθύμημα ποτὲ μὲν ὁμοίως ἄν, φησίν, ἐξενεχθείη τῷ ἐνθυμήματι στρογγύλως καὶ πυκνῶς, ποτὲ δὲ εἴωθεν ἐκλύεσθαι. ἁρμοδιώτερον μέντοι ἐστὶ καὶ αὐτό, φησίν, ἐπισυναχθῆναι μὴ μακρὰν τὴν ἐπὶ τῷ ἐνθυμήματι κατασκευὴν ἐκτεῖνον. **251.** παράδειγμα δὲ τούτων φέρειν οὐκ ἀναγκαῖον, φησί· τὸν γὰρ χαρακτῆρα τῆς λέξεως, οὐ τὸν τρόπον τῆς μεταχειρίσεως λέξειν ἐπηγγειλάμεθα.

252. Τοὺς δὲ ἐπιλόγους, φησίν, ἁπλοῖς μὲν ἁπλοῦς εἶναι δεῖ, ἐν δὲ τοῖς ἀμφισβητήμασι λείαν μὲν καὶ ἀφελῆ τὴν λέξιν διὰ τὰς κατασκευάς· ὁ γὰρ τοιοῦτος, φησίν, ἐπίλογος εὐμάθειαν ἐπαγγέλλεται. ὅπου δὲ δείνωσίς τις ᾖ, τροπικῇ λέξει χρηστέον, τραγικωτέραν δέ, φησί, τὴν λέξιν καὶ σφοδροτέραν ἐπιτιθέντες. ὅπου δὲ πανήγυρις, τοὺς δεσμούς, φησί, τῶν κώλων οὐ τραχεῖς, ἀλλὰ λείους ἀποδώσομεν, καὶ

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248 3 προσάγεσθαι *A*, corr. Sp. | αὐτὰ Gr. || 4 add. Kennedy || 5 ἐνθυμήματος *A*, corr. Wilam. || 6 συγκαταστάσει *A*, corr. Fi. || 7 συσχηματισμοὶ *A*, corr. Fi. | παραθέσει *A*, corr. Fi. || 8 μέλλει Fi. μένει *A* **249** 11 αὐτοῦ Seg. αὕτη *A* || 12 ἐνθυμηματικώτατον Wilam. || 14 βιαστικὸν ⟨ὂν⟩ Wilam. **251** 19 λέξιν *A*, corr. Seg. **252** 21 ἁπλῶς *A*, corr. Seg. ⟨ἐν⟩ ἁπλοῖς Wilam. || 22 ἀμφισβητησίμοις Wilam. || 25 ἐπιτιθέντες] ἔτι τιθέντες Fi., qui lacunam coniecit || 26 δεσμούς Sp. θέσμους *A*

out in a weighty way and not simply nor with curtailed language. **248.** Certainly, as applies in the case of the introduction of a particular thought, it is good for the statements of the epicheiremes to be simple and clear, and for them to be introduced in a rather emaciated form, condensed rather than in detail, unless one does not have other proofs; for whenever the epicheireme lacks proof from outside itself, not brought in enthymematically but accompanied with a statement, the figures of speech also become more varied by the use of the insertions and resumptions mentioned earlier.[248] But if we introduce it by itself, the epicheireme is going to take a simply political form.[249] **249.** The enthymeme is often introduced in simple language, and the style (*lexis*) that especially belongs to it is one with balanced clauses (*parisōsis*) and antistrophes; for these two figures fit antithetical statements. What is antithetical is more enthymematic than (others) figures of thought, since it is conclusive and cogent of the premises. **250.** The epenthymeme,[250] he says, sometimes should be brought out roundly and compactly in a way similar to the enthymeme, but sometimes it is customary for it to be treated freely. Of course, it is more agreeable, he says, for it to be brought in as an addition without long extending the proof for the enthymeme. **251.** He says it is not necessary to give an example of these; for we have reported the type (*khēraktēr*) of style, not the manner of treatment.

252. Simple epilogues, (Harpocration) says, should use simple words, but in disputed questions the style should be soft and smooth because of the proofs; for an epilogue of this sort proclaims itself easy to understand. Where there is some forcefulness, one should use tropic diction, imposing, he says, a more tragic and vehement diction. In passages of panegyric, he says, the connections of the cola should not be rough, but we shall smooth them, and similarly, we shall exhibit a word choice that is not rough but like that in historical writing,[251] using a colon that is not poetic but close to

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[248] Harpocration seems to have understood an epicheireme as, in practice, an extended logical argument in which a statement is supported by one or more enthymemes and/or examples; cf. Dionysius of Halicarnassus, *On Demosthenes* 46.

[249] I.e., without artistic elaboration; cf. above, §244.

[250] An epenthymeme is a second or supplementary enthymeme in the working out (*ergasia*) of an extended argument; cf. pseudo-Hermogenes, *On Invention* 3.9.

[251] On the "historical" period, see Demetrius, *On Style* 19.

τὴν λέξιν ὡσαύτως οὐ τραχεῖαν, ἀλλὰ ἱστορικὴν προθήσομεν, τὸ μὲν κῶλον οὐ ποιητικὸν ἔχουσαν, ἐγγὺς δὲ τοῦ γλαφυροῦ καὶ ἡδέος.

253. Διονύσιος δὲ ὁ Ἁλικαρνασσεύς, ὃν κανόνα ⟨ἄν⟩ τις εἴποι δικαίως τῆς περὶ ῥητορικὴν μελέτης, ἐν τῷ Λυσίου χαρακτῆρι ἐπαινῶν τὸν Λυσίαν ἐπιδείκνυσιν ἅμα καὶ ποίαν δεῖ ἑρμηνείαν ⟨εἶναι⟩ ἐν τοῖς μέρεσι τοῦ λόγου, καί φησιν οὕτως· "διαφοράς τε αὐτῶν λαμβάνει κατὰ ⟨τὰς⟩ ἰδέας τῶν πραγμάτων ἡ λέξις· ἀρχομένῳ μὲν γὰρ ἐστι καθεστηκυῖα καὶ ἠθική, διηγουμένῳ δὲ πιθανὴ καὶ ἀπερίεργος, ἐπιδεικνύντι δὲ στρογγύλη καὶ πυκνή, αὔξοντι δὲ καὶ παθαινομένῳ ⟨σεμνὴ καὶ ἀληθινή· ἀνακεφαλαιουμένῳ δὲ⟩ διαλελυμένη καὶ σύντομος".

Τοσαῦτα περὶ τῶν τοῦ λόγου μερῶν.

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252 2 . . . λον *A*, corr. Seg. | ποιητικ *A*, corr. Sp. ποιητικοῦ Seg. | ἔχουσ *A*, corr. Sp. ἄχους in *A* legit Seg., qui etiam εὔχους vel ὕψους coni. **253** 3 add. Seg. || 5 ⟨τὴν⟩ ἑρμηνείαν Wilam. | add. Seg. || 7 add. Seg. coll. D.H. || 8 περίεργος *A*, corr. Seg. coll. D.H. || 9.10 add. Seg. coll. D.H.

what is polished and pleasing.[252] **253.** Dionysius of Halicarnassus, whom one might rightly call the standard authority on rhetorical practice, while praising Lysias in his work on the style of Lysias shows at the same time what sort of style should be used in the parts of the speech, and speaks as follows: "The word choice takes its differences in accord with the particular features of the subjects: for in the beginning it is calm and ethical; and in narrating persuasive and unelaborated; and in arguing compact and dense; and in amplifying and rendering emotion lofty and truthful; and in recapitulating relaxed and concise."[253]

So much about the parts of the speech.

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[252] *Glaphyros* is the term for the "elegant style" in Demetrius, *On Style* 36, 128ff. Meaning "polished, elegant," it is a common stylistic term in writings of Dionysius of Halicarnassus; cf. *On Demosthenes* 36 (p. 209.6 ed. Usner-Radermacher), *On Literary Composition* 13, etc. *Hēdus* ("pleasing, sweet") is used of style in Aristotle, *Rhetoric* 3.12.6; cf. *hēdonē* of a pleasing style, above §101.

[253] Dionysius of Halicarnassus, *On Lysias* 9.

ΑΨΙΝΟΥ ΤΕΧΝΗ ΡΗΤΟΡΙΚΗ
(Apsines' *Art of Rhetoric*)

ΑΨΙΝΟΥ ΤΕΧΝΗ ΡΗΤΟΡΙΚΗ

1. ΠΕΡΙ ΠΡΟΟΙΜΙΟΥ

217 **1.** Εἴρηται μέν τινα καὶ τοῖς πρὸ ἡμῶν περὶ προοιμίου, τί τέ ἐστι προοίμιον, ὅτι ἀρχὴ τοῦ σύμπαντος λόγου, καὶ πόθεν λαμβάνεται προοίμιον, ὅτι ⟨ἢ⟩ ἐκ προσώπου ⟨ἢ⟩ ἐκ πράγματος ⟨ἢ⟩ ἐξ ἀμφοῖν· ὁ δέ τοι θεῖος Βασιλικὸς κἀκεῖνο προσέθηκεν, ὅτι δυοῖν θάτερον, ἢ ἐξ ἐννοίας τῶν ἀκουόντων ἀντιπιπτούσης ἡμῖν ἢ ἐξ ὑποκειμένου λαμβάνεται τὸ προοίμιον. **2.** ἐγὼ δὲ καὶ ταῦτα ἐπαινέσαιμ' ἂν καὶ ἀποδεξαίμην· ἴσως δ' ἄν τι καὶ αὐτὸς συνεισενεγκεῖν ὡς εἰς κοινὸν ἔρανον δυνηθείην, οὐκ ἀχρεῖον οὐδ' ἀνωφελές, ἀλλὰ δι' οὗ καὶ ἑτοιμότερον καὶ καιριώτερον ληψόμεθα προοίμιον. **3.** πῶς οὖν ληψόμεθα ῥᾳδίως; ἐὰν τὰ ὁμογενῆ διέλωμεν· ὁμογενῆ δὲ λέγω, ὅσα κατά τι συμβεβηκὸς ὅμοιά ἐστιν ἀλλήλοις, οἷον ἢ κατὰ περίστασιν ἢ κατὰ τὴν ἔκβασιν ἢ κατὰ τὰς ποιότητας τῶν προσώπων ἢ κατὰ τρόπους
218 | ἢ κατ' ἄλλο τι· ἐν τούτοις οὖν εὑρόντες ἔννοιαν τὴν κατὰ πάντων τῶν ὁμογενῶν ἁρμόττουσαν οὕτως ἂν τὴν ἐφ' ἑκάστου ἁρμόττουσαν εἰσόμεθα.

4. Ἔστι τοίνυν πρῶτον ἐκεῖνο θεώρημα ἐξ ἐπαίνου τῶν ἀκουόντων. πότε οὖν αὐτῷ χρηστέον ⟨καὶ⟩ ἐπὶ ποίων ὁμογενῶν προβλημάτων;

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tit. περὶ τῶν μερῶν τοῦ πολιτικοῦ λόγου τέχνη Syrian. 2.64.14 Rabe | προοιμίων Sp. || 3 add. Sp. (tris) || 6 λαμβάνομεν Ald. || 10 ὁμοιογενῆ *B* (bis) et Anon. || 11 ὅμοιόν Ba. | ἀλλήλοις Ba. coll. Anon. μᾶλλον *AB* | ἢ[1] del. Ba. εἴτε . . . εἴτε Anon. || 14 ὁμογενῶν] ὁμοιομερῶν *B* | ἂν del. Sp. | ἁρμόττουσαν[2]] ἁρμόττουσα *A* || 17 add. Ba. | ὁμοιογενῶν *AB*, corr. Sp. coll. Anon.

APSINES' *ART OF RHETORIC*
(*On the Parts of a Political Speech*)[1]

Words in parenthesis have been added by the translator to help clarify the thought. Apsines envisions his reader as a young man who is entering on the practice of declamation. In chapters 1–9 this reader is addressed in the second person singular. Chapter titles are probably not part of the original text.

Chapter 1: On Prooemion

1. Some things have been said by our predecessors about a prooemion: (in reply to the question) "What is a prooemion?" (they say) that it is the beginning of the whole speech; (as to the source) from which a prooemion is taken, (they say) that it is either from a person or from a thing or from both;[2] the holy Basilicus[3] added that it is one or the other of two things: either a prooemion is taken from the thought of the hearers when it is adverse to us or from the subject under discussion. **2.** For my part, I am inclined to approve and accept these statements, but perhaps I might be able myself to add something to the common store of knowledge, something not without utility and not without benefit, but a way by which we shall get a prooemion more readily and more opportunely. **3.** How then shall we get a prooemion easily? If we distinguish things that are generically similar; by "generically similar" I mean whatever are like to each other by some accident:[4] for example, either in terms of the attendant circumstance or the result or the qualities of the persons involved or their ways of life or something else. If, then, we have found among these things a thought that fits all the things that are generically similar we shall in this way know what is fitting in each case.

4. Now the first theorem[5] to be considered is that from praise (*epainos*) of the hearers. When should one use it and in what sort of generically similar

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[1] This is how the work is described by Syrianus 2.11, 64, and 170. A "political" speech includes declamations on deliberative or judicial themes, but not epideictic oratory.

[2] For a fuller list of sources of prooemia, see Anonymous Seguerianus §7.

[3] Basilicus was Apsines' teacher in Nicomedia. See Introduction.

[4] Cf. the anonymous prolegomenon to Hermogenes in Walz VII p. 71,18. But Apsines' suggestion of looking for *ta homogenē* seems not to have been taken up by many other teachers of rhetoric.

[5] "Theorem," literally something learned by inspection, here means a topic from which an idea or argument can be drawn. Apsines uses the word in this sense only in chapter 1; until chapter 10 he seems to avoid use of *topos. Theōrēmata* is used in Anonymous Seguerianus §31 to mean the rules and arguments of logic and rhetoric but is not common in other rhetorical texts.

ἐν οἷς ἂν πείσαντές τι τοὺς ἀκούοντας ἕτερον δεύτερον εἰσηγησόμεθα· ἐν τούτοις γὰρ ἁρμόσει ἐπαινέσαι τοὺς ἀκούοντας ἐφ' οἷς ἤδη ἐπείσθησαν· "πρῶτον μὲν ἄξιον ὑμᾶς ἐπαινέσαι, ὦ ἄνδρες, ἀνθ' ὧν τοῖς τὰ βέλτιστα λέγουσιν ἡμῖν τὸν νοῦν προσέσχετε ἀρτίως, καὶ τῶν τἀναντία λεγόντων καὶ ἐξαπατώντων ὑπερείδετε· [καὶ] ἔπειτα δὲ ⟨καὶ⟩ τὰ ἀκόλουθα τούτοις προσθήσειν δοκῶμεν", οἷον ὡς ἐπ' ἐκείνων τῶν προβλημάτων· ὁ Περικλῆς πείσας εἴσω τειχῶν μένειν, μετὰ ταῦτα πείθει αὐτοὺς δῃῶσαι τὴν Ἀττικήν. **5.** ἄλλο. ὁ Θεμιστοκλῆς πείσας ἐκλείπειν τὴν πόλιν γράφει αὐτοὺς καὶ ἐμπρῆσαι τὸ ἄστυ. **6.** ἄλλο. κατέσκαψάν τινες πόλιν. οἱ διαφυγόντες ἔκριναν τοὺς κατασκάψαντας ἐπὶ τῶν Ἑλλήνων καὶ ἐνίκησαν, εἶτα περὶ τῆς τιμωρίας ὄντος τοῦ λόγου ἀξιοῦσιν αὐτοὺς τὰ ἴσα πάσχειν. ἄλλο. ⟨ὁ⟩ Αἰσχίνης ἀνελὼν τὸν Τίμαρχον γράφει ἀναιρεῖν τὸν τριηραρχικὸν νόμον. **8.** καὶ γὰρ οὗτος ὁρᾷ ὅτι ἤδη πέπεικε τοὺς δικαστὰς καταψηφίσασθαι τοῦ Τιμάρχου καὶ ἐπὶ τούτῳ ἐπαινέσει. **9.** ἄλλο. | ⟨ὁ⟩ Ὑπερείδης *219* γράψας ἔπεισε μόνῳ χρῆσθαι συμβούλῳ Δημοσθένει, ἐν Ἐλατείᾳ ὄντος Φιλίππου, εἶτα γράφει καὶ φρουρὰν αὐτῷ διδόναι. **10.** ταῦτα γὰρ καὶ ἄλλα μυρία τοιαῦτα προβλήματα ὁμογενῆ τῷ προειρημένῳ θεωρήματι ὑποπίπτει. σὸν δ' ἔργον ἐκ τούτων καὶ τὰ ὁμογενῆ αὐτοῖς ἐπισκοπεῖν.

11. Ἄλλο. ἐπαινεσόμεθα δὲ καὶ τότε τοὺς ἀκούοντας ὅταν πεποιηκότες μὲν ὦσι πρᾶξίν τινα καλήν, γράφωμεν δὲ καὶ ἄλλην αὐτῇ προσθεῖναι· οἷον μετὰ τὰ Μηδικὰ ἀξιοῖ τις ἐπὶ τοὺς μηδίσαντας στρατεύειν. ἐνταῦθα γὰρ προγέγονε μὲν καλὴ πρᾶξις, ἡ νίκη καὶ ὁ πόλεμος ὁ κατὰ τῶν βαρβάρων, ἕτερον δ' εἰσηγῇ· ἁρμόττοι ἂν οὖν λέγειν ἄξια μὲν εἶναι ἐπαίνου παντὸς καὶ ἀποδοχῆς τὰ προγεγενημένα, ὡς καὶ ἐπ' ἐκείνου τοῦ προβλήματος· ὁ Ἑρμοκράτης ἀξιοῖ μετὰ τὴν νίκην ἐπ' Ἀθήνας πλεῖν. **12.** καὶ πάλιν ἐπ' ἐκείνου· ἔδοξε τοῖς Ἕλλησι

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4 προσέχετε *AB*, corr. Ba. ‖ 5 ὑπερίδετε *AB*, corr. Sp. | del. Ba. ‖ 6 add. Sp. | προσδοκῶμεν Sp. προσδοκῶμεν ⟨ὑμᾶς⟩ Ha. (Ph.) coll. 110.15 δοκῶ μοι Ba. ‖ 8 δῃῶσαι ⟨καὶ⟩ *B* καὶ δῃῶσαι Ha. | ἄλλ' *AB*, corr. Sp. ‖ 12 add. Sp. ‖ 13 ἀνελεῖν *A* ‖ 15 add. Sp. ‖ 18.19 ὁμοιογενῆ *AB*, corr. Sp. ‖ 18.19 τῶν προειρημένων θεωρημάτων *A* ‖ 22 γράφομεν *A* ‖ 24 ἡ νίκη Fi. ἡνίκα *AB*

themes for declamation?[6] Whenever, after persuading the hearers of something, we introduce some different second thing; for in these cases it will be fitting to praise the hearers for having been persuaded on the previous matter.[7] (For example, you might say): "First, it is right to praise you, gentlemen, in that you have recently payed attention to those of us speaking the best advice to you and have disregarded those speaking the opposite and deceiving you; but then let us think to add also what follows this (from your earlier decision)," as in those problems for declamation where Pericles, after persuading the people to remain within the walls,[8] then seeks to persuade them to lay waste Attica. **5.** Or again: Themistocles, after persuading them to abandon the city, introduces a motion for them also to burn the citidel. **6.** Or again: Some individuals have destroyed a city. The exiles bring the destroyers to trial before the Greeks and are successful in their prosecution, after which, when a speech is made concerning punishment, they propose for them to suffer the same things **7.** Or again: After successfully prosecuting Timarchus,[9] Aeschines introduces a motion to abolish the triarchic law. **8.** As you see, he has already persuaded the judges to condemn Timarchus and he will praise them for this. **9.** Or again: After Hyperides successfully introduced a motion when Philip was in Elateia that Demosthenes alone should be the adviser to the city,[10] then he proposes to give Demosthenes a bodyguard as well. **10.** These and countless other generically similar themes for declamation fall under the theorem stated above. Your task is to see from these examples what is generically similar among them.

11. Another (theorem).[11] We shall also praise the hearers whenever they have performed some fine act and we introduce a motion to add another action to it as well; for example, after the Persian wars someone thinks it right to make an expedition against those (Greeks) who supported the Persians. Here a fine action has preceded—the victory and the war against the barbarians—but he introduces another; it would be fitting therefore to say that the preceding events are worthy of all praise and approbation, as in the following theme for declamation: Hermocrates thinks it right to sail against Athens after the victory (of the Syracusans).[12] **12.** And again in this

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[6] *Problēmata*, "problems," or elsewhere occasionally *zētēmata*, "questions," is the term used by Apsines and other rhetoricians to refer to themes of declamation.

[7] The question and answer recur in the anonymous prolegomenon to Hermogenes, Walz VII p. 66,10.

[8] Cf. Thucydides 1.144. This is one of many imaginative extensions of historical incident by declaimers.

[9] Aeschines, Or. 1.

[10] Although Hyperides often supported Demosthenes, there is no evidence for such a motion.

[11] The word *allo*, "another," sometimes with *theōrēma* added, occurs eighteen times in this position throughout the first chapter. Whether the words originated with Apsines is uncertain; they may have originated with an editor or be marginal notes by a student.

[12] Hermocrates led an expedition to Greece in 412 B.C., cf. Thucydides 8.26.1.

καταλῦσαι τὸν Πελοποννησιακὸν πόλεμον· γράφει τις καὶ τὰ τρόπαια ἀναιρεῖν. **13.** ταῦτα γὰρ καὶ ὅσα τοιαῦτα προβλήματα ὁμογενῆ μυρία τῷ προειρημένῳ θεωρήματι ὑποπίπτει τῷ ἀπὸ ἐπαίνου.

14. Ἔτι γε μὴν καὶ τὸ ἐξ ἀκολούθου ἄλλο θεώρημα. ἐν τοῖς ἐξ ἀκολούθου ζητήμασι δεύτερον ἐκεῖνο γένοιτ' ⟨ἂν⟩ προοίμιον· "πέπεισθε μὲν οὖν ἤδη σχεδὸν περὶ ὧν ἥκω συμβουλεύσων· οἱ γάρ τὰ μικρῷ πρόσθεν εἰρημένα προσειμένοι καὶ καλῶς ἔχειν κεκρικότες,
220 ἀκόλουθα τού | τοις ὄντα οἷς καὶ νῦν ἐρῶν ἀνέστην, δῆλον ὡς οὐδὲ περὶ τούτων ἑτέρως γνώσεσθε". **15.** τρίτον δ' ἐκεῖνο πολλάκις· "οὐκ ἀγνοῶ μὲν οὖν ἔγωγε, ὦ ἄνδρες, τοῦθ' ὅτι δυσχερῆ τισιν ὑμῶν φανεῖται τὰ λεχθησόμενα, ἐγὼ δέ, εἰ μηδεμίαν ἑώρων ὑποῦσαν ἀνάγκην, οὐκ ἄν ποτε πρὸς τοῦτο τῆς γνώμης ἐτραπόμην· ἐπειδὴ δὲ πολλὰ τὰ συναναγκάζοντα ὁρῶ, ἡγοῦμαι ῥᾳδίως πείσεσθαι τοὺς ἀκροωμένους ὑμᾶς, εἰ τούτων πύθοισθε [μᾶλλον]".

16. ⟨Ἄλλο.⟩ ὁπόταν δ' εἰσηγησάμενός τινα γνώμην διαμάρτῃς, εἶτα ἄλλην εἰσηγεῖσθαι μέλλῃς, ἁρμόσει σοι ἐσχηματισμένως τὸ ἐκ βαρύτητος θεώρημα, οἷον εἰ λέγοις· "ἀλλ' εἰ καὶ περὶ τῶν προτέρων οὐχ ἱκανῶς τισιν ὑμῶν ἔδοξα ἑωρακέωαι τὸ βέλτιστον, ὅμως οὐκ ἐπὶ τούτοις ἀθυμήσας εἱλόμην σιωπᾶν, ἀλλ' ἃ νομίζω βέλτιστα εἰς μέσον θήσω". **17.** οἷον ὡς ἐπ' ἐκείνου τοῦ ζητήματος· βουλευομένοις τοῖς Ἀθηναίοις ἀποδόσθαι τὰς ναῦς εἰς ἀνοικισμὸν τῆς πόλεως ἀντεῖπεν ὁ Θεμιστοκλῆς καὶ ἡττήθη· εἶτα πάλιν γράφει ἀφίστασθαι τῆς θαλάττης. **18.** ἄλλο. ὁ Κλέων ἡττήθη ὑπὸ Διοδότου καὶ τὸ δεύτερον ἀποστάσης τῆς Μυτιλήνης γράφει ἀθῷον αὐτὴν ἐᾶν. **19.** καὶ ὅσα ἄλλα τοιαῦτα προβλήματα | ἐσχηματισμένα ὑποπίπτει τῷ προειρη-
221 μένῳ θεωρήματι τῷ ἐκ βαρύτητος, οἷον ὡς καὶ ἐπ' ἐκείνου· ἔγραψεν ὁ Δημάδης τρισκαιδέκατον θεὸν νομίζειν τὸν Φίλιππον· ἀντειπὼν ὁ

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2 ὁμοιογενῆ *AB*, corr. Sp. ‖ 5 ἀκολούθων *AB*, corr. W. | add. Ba. ‖ 7 προσιέμενοι *B*, corr. Sp. προσιέναι μενοι *A* προέμενοι Ba. | ἔχει *B* ‖ 10 ἀγνοῶμεν *AB*, corr. Ald. | ἐγώ τε *AB*, corr. Sp. ‖ 12 τῆς susp. Ha. ‖ 13 ὁρῶν *AB*, corr. W. ‖ 14 πύθοισθαι *B* | del. Sp. ‖ 15 add. Sp. ‖ 16 εἰσηγῆσθαι *B* | μέλλεις *AB*, corr. W. | ἐσχηματισμένος *A* ‖ 19 βέλτιστον *B*

one: It seemed best to the Greeks to end the Peloponnesian war; someone introduces a motion to remove the trophies (set up after victories in the war). **13.** These and countless other themes of declamation of a generically similar sort fall under the theorem from praise.

14. Still another theorem is derived from what follows (*ex akolouthou*) (from a previous decision). In questions about what follows this would become a second prooemion:[13] "You have already almost been persuaded about what I come to advise you; for having agreed with what was said a little earlier and having judged it to be right, clearly you will not make a different decision about what (logically) follows, which is what I now stand up to say." **15.** A third (prooemion) is often used: "I am, thus, not unaware, gentlemen, of this: that what is going to be said seems unpleasant to some of you. If I saw no necessity in the matter, I would not incline myself to the following opinion, but since I see many things constraining us, I think I shall easily persuade you, my hearers, if you should come to understand them."

16. Another. Whenever you have unsuccessfully introduced some proposal (earlier) and are then going to introduce another one, the theorem from *barytēs* will be fitting if used in a figured way,[14] as if you were to say, "But if I seemed to some of you not sufficiently to have seen what was best in previous cases, nevertheless, not being disheartened at this, I have not chosen to be silent and shall put under discussion what I think to be best." **17.** For example, what is found in this theme: Themistocles spoke against the Athenians who wanted to give up the fleet in favor of removing the city to another location and was defeated;[15] then he introduces a motion to keep off the sea. **18.** Another: Cleon was defeated by Diodotus[16] and, when Mytilene revolted for a second time, introduces a motion to leave it unpunished. **19.** Other figured problems of this sort fall under the aforesaid theorem from *barytēs*; for example, the following: Demades introduced a motion that Philip should be regarded as the thirteenth god;[17] when Demosthenes

[13] On the concept of multiple prooemia to indicate separate introductions, or theorems, to separate headings of a single speech, cf. Anonymous Seguerianus §37 with the note there on and Sopatros in Walz VIII p. 33.

[14] The theorem from *barytēs*, literally "heaviness," is the argument that one is forced to speak because of the circumstances and may involve speaking in an injured tone. Heath, p. 261, translates it as "indignation," but, as here, that is not always appropriate; cf. pseudo-Aristeides, *Rhetorica* 1.35–47. A declamation is said to be "figured" (*eskhēmatismenon*) when the declaimer disguises the true aim of his speech or argues against the apparent self-interest of the character he impersonates; cf. 1.85 and 2.17–18 below and Kennedy, pp. 214–15. In the example cited, the declaimer, taking on the character of Themistocles, would argue for keeping off the sea in such a way as to persuade his audience to trust to the fleet during the Persian invasion.

[15] Cf. Hermogenes, *On Types of Style* p. 366, 16–18 ed. Rabe and Wooten, p. 99.

[16] Cf. Thucydides 3.37–50.

[17] Cf. Aelian, *Varia historia* 5.12; Athenaeus 6.251b; Valerius Maximus 6.2.ext.6 and 7.2.ext.13.

Δημοσθένης ἡττήθη, καὶ γράφει καὶ νεὼν ἱδρύσασθαι Φιλίππῳ καὶ ἕτερα τοιαῦτα.

20. Ἄλλο. ἐάν τις ἤδη κεκρατηκὼς ἔν τινι, εἶτα αὖ πάλιν περί τινος ἀντιλέγῃ σοι ἢ ἐγκαλῇ, ἁρμόσει σοι τὸ ἐκ διαβολῆς θεώρημα, οἷον εἰ λέγοις· "τὸ μὲν ἐπῆρθαι τοῦτον ἐφ' οἷς ἐκράτησεν ἀρτίως, θαυμαστὸν οὐδέν", ὡς ἐπ' ἐκείνου· κρατήσας ὁ Ἄνυτος καὶ Μέλητος τοῦ Σωκράτους γράφει καὶ τοὺς ἑταίρους αὐτοῦ ἐλαύνειν. ὁ γὰρ Ἄνυτος καὶ Μέλητος τῷ ἐξ ἀκολούθου θεωρήματι χρήσονται, ἀκόλουθον εἶναι λέγοντες τοῦτ' ἐκείνῳ, καὶ τῷ ἀπ' ἐπαίνου τῶν δικαστῶν, ὥσπερ εἴπομεν. **21.** ὁ δ' ἀντιλέγων τῷ ἐκ διαβολῆς, "τὸ μὲν ἐπῆρθαι Ἄνυτόν τε καὶ Μέλητον ⟨ἐφ'⟩ οἷς ἐκράτησαν, θαυμαστὸν οὐδέν". **22.** καὶ πάλιν ἐπ' ἐκείνου· ὁ Μειδίας ἐκράτησε τοῦ Δημοσθένους τὸν περὶ τῆς ἀσεβείας εἰσελθόντος λόγον καὶ μετὰ ταῦτα Δημοσθένης ὕβρεως αὐτὸν ἐγράψατο καὶ Μειδίας παραγράφει κατὰ τὸν νόμον τὸν περὶ τῶν αὐτῶν δὶς κρίσιν εἶναι κεκωλυκότα· ἁρμόσει γὰρ τῷ Δημοσθένει λέγειν ὡς οὐδὲν θαυμαστὸν ἐπαρθέντα Μειδίαν τῇ προτέρᾳ νίκῃ ἐπὶ τὴν παραγραφὴν θαρροῦντα ἥκειν, ὡς πᾶν ὁτιοῦν ἐξὸν αὐτῷ λέγειν τε καὶ πράττειν. **23.** καὶ πάλιν ἐπ' ἐκείνου· κρατήσας ὁ Φίλιππος ἐν Χαιρωνείᾳ ἐξῄτησε τὸν Δημοσθένην· ἀντιλέγει τις· λέξει γὰρ ὡς οὐδὲν θαυμαστὸν | ἄνθρωπον ὑβριστὴν φύσει βρα-
222 χείας λαβόμενον καὶ ἀδοκήτου τύχης ἐπῆρθαι.

24. Ἄλλο. ὁπόταν συνεχῶς τις κρίνηται, ἁρμόσει τὸ ἐκ βαρύτητος θεώρημα, οἷον εἰ λέγοις· "οὐκ ἦν, ὡς ἔοικε, πέρας οὐδὲν κρίσεως καὶ δικῶν ἡμῖν". **25.** οἷον ὡς ἐπ' ἐκείνου· συνεχῶς τις κρινόμενος τυραννίδος ἐπιθέσεως πλούσιος ἐξαργυρίσας τὴν οὐσίαν ἔρριψεν εἰς θάλατταν, καὶ κρίνεται. **26.** καὶ ἐπ' ἐκείνου· ὁ Δημοσθένης κριθεὶς μετὰ Χαιρώνειαν ἀπέφυγε καὶ σιωπῶν πάλιν κρίνεται· λέξει γάρ· "οὐκ ἦν πέρας κρίσεως ἡμῖν οὐδέ τις τροπὴ πρὸς ἀποφυγὴν τούτων,

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1 νεὸν *A* | φίλιππον *B* Φιλίππου Ba. || 3 ἐπάν *AB*, corr. Ba. || 4 ἀντιλέγει . . . ἐγκαλεῖ *A* || 7 ἑταίρους Ba. coll. Anon. ἐπαίνους *AB* || 8 ἀκολούθου] ἐπαίνου Anon. || 10 τῷ W. τὸ *AB* || 11 add. Ba. || 14 παραγράφει *A* sine term. *B* παραγράψας Sp. || 21 ἀπροσδοκήτου Ba. || 25 ἐξαργυρήσας *B* || 26 θάλασσαν Ald. || 28 τῆς τροπῆς *AB*, corr. Ha. τις ἀποτροπὴ Sp. τις τρόπος W. ex cod. *V*

spoke against this he was defeated and now he introduces a motion for a temple to be dedicated to Philip. And others of this sort.

20. Another. If someone has previously prevailed on some matter and then speaks against you or brings a charge against you, the theorem from *diabolē*[18] will be fitting for you to use; for example, if you were to say, "It is no wonder that this man has become elated because of his recent success," as in this case: After Anytus and Meletus prevailed over Socrates, one of them introduces a motion to exile his companions. Here, Anytus and Meletus will use the theorem from what (logically) follows,[19] saying that this follows that, and the theorem from the praise of the judges, as we described it. **21.** But the opposing speaker will use the theorem from *diabolē*, "It is no wonder that Anytus and Meletus have become elated because of their success." **22.** And again in the following: Meidias prevailed over Demosthenes when the latter came into court with his speech on impiety and after that Demosthenes indicted him for hybris;[20] Meidias then introduces a motion of procedural exception (*paragraphē*)[21] under the law prohibiting two suits on the same matter. It will be fitting for Demosthenes to say that it is no wonder that Meidias, elated at his previous victory, insolently comes forward with a charge that the suit is illegal, since he is capable of saying and doing anything. **23.** And again in the following: When Philip won the battle of Chaironeia, he demanded that Demosthenes be given over to him. Someone speaks against this; he will say that it is no wonder that a man violent by nature should be elated at a quick and unexpected good fortune.

24. Another. When someone has repeatedly been brought to trial, the theorem from barytes will be fitting; for example, if you should say, "There was, it seems, no limit for us to judgment and trials." **25.** As in the following: A rich man repeatedly brought to trial for attempt at tyranny has converted his wealth into cash and thrown it into the sea and is brought to court.[22] **26.** And in the following: When Demosthenes was brought to trial after Chaironeia (for giving bad advice) he was acquitted and when he kept quiet he was again brought to trial.[23] He will say, "There was no limit to to the judgment of us nor any recourse for acquittal when I am brought to

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[18] *Diabolē*, often translated "slander," includes any prejudicial attack, whether true or not; cf. Aristotle, *Rhetoric* 3.15.

[19] Cf. the anonymous prolegomenon to Hermogenes in Walz VII p. 73,14.

[20] The actual charge was *dēmosia adikēmata*, public wrong-doing, but the rhetoricians and scholiasts refer to it as hybris; cf. MacDowell pp. 424–5. Hybris, as an offense under Athenian law, was serious injury or wanton insult to an individual. Demosthenes's speech against Meidias (Or. 21) for striking him when taking part in a religious ceremony was a favorite of the rhetoricians.

[21] For other theorems useful in *paragraphē*, cf. below, 1.88 and 91.

[22] For the theme, cf. Sopatros in Walz VIII p. 161.

[23] Both incidents are fictitious.

ὅπου καὶ ἐπὶ τοῖς ἐναντίοις κρίνομαι, πρότερον μὲν πολιτείας, νῦν δὲ σιωπῆς". **27.** καὶ ἐπ' ἐκείνου· ὁ Ἰσοκράτης κριθεὶς σιωπῆς ἀπέφυγεν ὑποσχόμενος πολιτεύσεσθαι, καὶ γράψας ἀφίστασθαι τῆς θαλάττης πάλιν κρίνεται. **28.** καὶ ἐπ' ἐκείνου· τρεῖς τις ἔχων παῖδας τοῖς δύο κριθεῖσι φόνου συνειπὼν ἐνίκησε, τοῦ τρίτου πάλιν αἰτιαθέντος ἐπὶ φόνῳ ἑαυτὸν προσαγγέλλει· λέξει γὰρ καὶ οὗτος, "ἐγὼ μὲν ἤλπισα πέρας ἕξειν κινδύνου καὶ πραγμάτων, ἀπήντηκε δὲ τἀναντία, ὥστε πανταχόθεν ἀναγκαῖον γίγνεσθαι περὶ ἀπαλλαγῆς τοῦ βίου βουλεύσασθαι". **29.** ἁρμόσει δέ σοι τὸ θεώρημα καὶ ἐπ' ἐκείνου τοῦ γένους ὅταν τινὲς συμφορᾷ περιπεσόντες εἶτα ἀπαλλαγὴν αὐτοῖς εὑράμενοι κρίνωνται. οἷον οἱ ῥήτορες ἐξεδόθησαν τῷ Φιλίππῳ· ἀφεθέντες οὐ πολιτεύονται καὶ κρίνονται· ἁρμόσει γὰρ καὶ τούτοις τὸ ἐκ βαρύτητος, | *223* "οὐκ ἦν, ὡς ἔοικεν, ἀπαλλαγὴ τῶν κακῶν ἡμῖν, εἰ πρότερον μὲν περὶ ἐκδόσεως εἰς κίνδυνον ἤλθομεν ἐπὶ τῇ πολιτείᾳ, νῦν δ' αὖ πάλιν εἰς δικαστήριον ἥκομεν ἐπὶ τῇ σιωπῇ". **30.** καὶ πάλιν ἐπ' ἐκείνου· ἐν μανίᾳ τινὶ ὄντι ἔχρησεν ὁ θεὸς ἀπαλλαγὴν τῆς νόσου ἔσεσθαι, ἐὰν ἀνδροφονήσῃ. σωφρονήσας κρίνεται φόνου· λέξει γάρ καὶ οὗτος, "οὐκ ἦν, ὡς ἔοικεν, ἡμῖν ἀπαλλαγὴ τῆς βαρείας τύχης, εἰ καὶ πρότερον μὲν ἐν συμφοραῖς ἦμεν, νῦν δέ, ἐπειδήπερ ἐκείνων ἀπηλλάγμεθα, πάλιν κρινόμεθα.

31. Ἄλλο. ἔφαμεν συνεχῶς κρινόμενον τί δεῖ ποιεῖν· φέρε οὖν καὶ περὶ κατηγόρου εἴπωμεν. ὅταν τοίνυν κατηγορῶμεν συνεχῶς κριθέντος, δεῖ σκοπεῖν ⟨εἰ⟩ πρότερον ἐν ἐκείνοις ἡττήθη, καί, εἰ μὲν πρότερον ἡττημένος εἴη, ἐπαινεῖν τοὺς δικαστὰς τοὺς καὶ πρότερον καταγνόντας αὐτοῦ. εἰ δὲ κεκρατηκὼς εἴη, δυοῖν θάτερον ποιεῖν, ἢ τὴν δεινότητα αὐτοῦ προεπισημήνασθαι δι' ἣν τοιοῦτός ἐστιν οἷος κρατεῖν ὧν βούλεται. εἰ δὲ μὴ τοῦτο, ἐκ περιττότητος, ὅτι "οὐ τὸν αὐτὸν τρόπον ὑμεῖς τε τούτῳ καὶ οὗτος ὑμῖν κέχρηται. ὑμεῖς μὲν γὰρ

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3 πολιτεύεσθαι *B* ‖ 6 φόνου *B* ‖ 7 ἕξει *B* ‖ 10 αὑτῆς εὑρόμενοι *B* ‖ 11 κρίνονται *A* ‖ 13 ὡς] καὶ *A* ‖ 18 καὶ del. Fi. ‖ 23 add. Fi. | πρότερον *AB*[a] εἰ *B*[c] πότερον Sp. ‖ 28 οὗτος Ba. αὐτὸς *AB*

trial on opposite charges, first for my policy, now for my silence." **27.** And in the following: Isocrates, accused of keeping silent (on public matters), was acquitted when he promised to engage in politics, and when he introduces a motion to refrain from naval operation he is brought to trial.[24] **28.** And in the following: A man who had three sons successfully spoke as their advocate when two were on trial for murder; when the third son was charged with murder he denounces himself.[25] He too will say, "I hoped to have an end to danger and troubles, but the opposite has befallen me, so that it has become altogether necessary for me to make plans to escape from life." **29.** You will find this theorem fitting in that kind of speech where certain individuals are brought to trial who have fallen into misfortune and then have found a way out. For example, the political leaders had been surrendered to Philip; after being released they did not engage in politics and are brought to trial. The theorem from barytes will be fitting for them as well: "There was, as it seems, no escape from evils for us, if first we came into danger for our participation in constitutional government and now, on the other hand, we come into court for our silence." **30.** And again in the following: The god prophesied release from his illness to a man who was suffering from madness if he offered a human sacrifice. When he recovered his sanity he was charged with murder.[26] He too will say, "There was, it seems, no escape from heavy fate for us, if first we were in misfortune and now, when we have been freed of that, we are again being judged."

31. Another. We have said what one ought to do when one is repeatedly brought to trial. Let us now also speak about the accuser. Whenever then we undertake an accusation against one who has repeatedly been brought to trial, we should examine if he was convicted in those earlier instances and, if he has been previously convicted, we should praise the judges who also earlier condemned him. But if he prevailed in the trial, we should do one or the other of two things: either draw attention at the outset to the cleverness by which such a man as he is able to get what he wants; or if not that, (arguing) from *perittotēs*,[27] (say) that "You (the judges) have not used him in the same way that he has used you. For you have

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[24] Both incidents are fictitious. Isocrates was, however, criticized for abstaining from public life and defends himself in *Antidosis* 150–55 and *Panathenaicus* 8–14.

[25] On self-denunciation (*prosangelia*), see note on 10.35 below.

[26] For a similar theme, cf. the anonymous *Problēmata* no. 56 in Walz VIII p. 411.

[27] From what is "too much."

ὑπολαμβάνοντες βελτίω ἔσεσθαι αὐτὸν πολλάκις ἠξιώσατε, ὁ δὲ ὥσπερ ἀμυνόμενος ὑμᾶς πολλῷ δεινότερα διατέθεικεν".

32. Ἔστι καὶ τοιοῦτο γένος προβλημάτων, ἐν οἷς τί σε λυπεῖ. διοικοῦ δὴ ἐν τοῖς προοιμίοις αὐτὸ καὶ προεπισημαίνου. λυπεῖ δέ σε ἢ πλῆθος ἀντιδίκων εἰ πολλοὶ εἶεν, οἷον, δέκα νέοι ὤμοσαν μὴ γῆμαι
224 καὶ κρίνονται κακοῦ βίου· ἁρμόσει οὖν λέγειν, ὡς "οὐ | ῥᾴδιος ὁ ἀγὼν ἡμῖν πρὸς ἄνδρας πολλοὺς καὶ θρασεῖς ἀγωνίζεσθαι". **33.** λυπεῖ δ' οὐ μόνον πλῆθος, ἀλλὰ καὶ δεινότης ἀντιδίκου, ὡς ἐπ' ἐκείνου· οἱ ῥήτορες πρὸ τῶν ἐκκλησιῶν βουλευόμενοι κρίνονται. καὶ ⟨πάλιν·⟩ πάντα ῥήτορα νικῶντα γράφει τις ἐλαύνειν. **34.** λυποῦσι δὲ καὶ συστάσεις τινῶν καὶ παρασκευαί, ὡς ἐν τῷ τῆς Παραπρεσβείας ἔστιν εὑρεῖν.

35. Ἕπεται τούτῳ ἑξῆς ὁλοκλήρως περὶ ἀντιπιπτόντων εἰπεῖν ἐπὶ πλέον διεξελθόντα ἢ τοῖς πρὸ ἡμῶν περὶ αὐτῶν λέλεκται. ἀντιπίπτοντα τοίνυν ἐστὶ τὰ μὲν ἐξ ἀντιθέσεως τῶν παρὰ τοῦ ἀντιδίκου ἃ τοῖς κεφαλαίοις φυλακτέον, τὰ δ' ἐξ ἐννοίας τῶν ἀκουόντων ἃ ἐν τοῖς προοιμίοις θεραπευτέον. **36.** ἀντιπίπτει δὲ τὰ μὲν ἐκ προσώπου, τὰ δ' ἐκ πράγματος, τὰ δ' ἐξ αἰτίας. **37.** τὰ μὲν οὖν ἐκ προσώπου τριχῆ λαμβάνεται, ὅταν πρὸς ἔνδοξον πρόσωπον ἢ κατὰ ἐνδόξου προσώπου λέγῃς, οἷον στρατηγοῦ ἢ δημαγωγοῦ, ἢ κατὰ πόλεως ἐνδόξου· πολλὰ δὲ τοιαῦτα ὁμογενῆ προβλήματα· ἢ ὅταν πρὸς πρόσωπον λέγῃς οἰκειότητα ἔχον πρὸς σέ, οἷον μητέρα ἀδελφοὺς πατέρα ἢ ἄλλον τινὰ τῶν πρὸς γένους ἢ φιλίας, ἢ ὅταν αὐτὸς ὢν νέος εἰς δικαστήρια εἰσίῃς ἐπὶ τῷ συμβουλεύειν πρὸ τῶν ἄλλων καὶ δοκῇς πέρα | τῆς ἡλικίας θρασύνεσθαι ἢ ὅταν τῶν μὴ σφόδρα πιστευομένων
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1 ⟨συγγνώμης⟩ ἠξιώσατε Ba. || 2 διατέθηκεν *B* || 6 κρίνονται] φεύγουσι Hermog. || 8 ἀντιδίκων coni. Ha. || 9 add. Ha. coll. 90.7 || 11 τῆς del. Ba. | περὶ πρεσβείας *A*[a] τῆς περὶ πρεσβείας *A*[c] || 14 ἐπελθόντα *B* διεξελθόντας coni. Ha. (Ph.) || 14.15 ἀντιπίπτοντα *A* ἀντιπίπτειν *B* | μὲν] μὴ *A* | ἀντιθέσεων *A* || 17 προσώπου *B*, sine term. *A*, corr. Sp. || 18 πραγμάτων *B* | ἐξ] ἀπὸ *B* | ⟨καὶ⟩ τὰ[3] *B* | οὖν om. *B* || 18 προσώπων *AB*, corr. Sp. || 19 ⟨ἢ⟩ ὅταν *A* || 20 λέγῃ *B* | οἷον om. *B* | ἢ[1] om. *A* || 21 ὁμοιογενῆ *B* || 22 οἰκειότατα *A* || 23 ἢ[1] om. *B* || 25 πέρα τῆς ἡλικίας *A* ὑπὲρ τὴν ἡλικίαν *B* | ὅταν *A* del. Sp. ὅταν περὶ *B* | τῶν] ὡς Ha. (76) | πιστευόμενος Ha. (76)

often trusted him, supposing that he was going to become a better man, and he, while warding you off, has led a much worse life."

32. There is also a kind of theme in which something troubles you. Dispose of it in the prooemia and mark it out ahead of time. The number of opponents is troubling if they are numerous; for example, Ten young men swore not to marry and are being judged on a charge of leading a wicked life.[28] It is then fitting to say that "it is no easy contest for us to contest against many, bold men." **33.** Not only the number but the cleverness of an opponent is troubling, as in the following: Speakers who give advice before the assembly are brought to trial. And again, someone introduces a motion to exile every successful public speaker.[29] **34.** Another source of trouble are the combinations and preparations of certain ones (trying to influence the trial), as can be found in (Demosthenes' speech) *On the False Embassy*.[30]

35. There follows in logical order the need for us to speak about adverse factors (in a case), going through them to a greater extent than what has been said about them before our time. Adverse factors, then, derive on the one hand from objections of the opponent, which must be countered in the headings,[31] and on the other hand from the thought of the hearers, which must be treated with care in prooemia. **36.** Some adverse factors result from a person, some from a thing, some from a fault. **37.** Those from a person are of three sorts: (1) when you speak in reply to a respected person or in prosecution of a respected person—for example, a general or popular leader—or against a respected city. There are many such generically similar themes for declamation. Or (2) when you speak in reply to a person having an intimate relationship to yourself—for example, your mother, brothers, father, or someone else connected by family or friendship. Or (3) when you yourself, although young, come into the law courts as an adviser for others and you seem to be bold beyond your years, or when, although not one of those greatly trusted, you come forward (in the assembly) to

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[28] Cf. Hermogenes, *On Staseis* p. 44,4 ed. Rabe, and below 5.21.

[29] For other declamations on silencing successful orators, cf. anonymous *Problēmata* in Walz VIII no. 32, p. 408; no. 52, p. 411.

[30] Demosthenes 19.1.

[31] I.e., in the proof. Cf. 2.1 and ch. 9 below.

περὶ μεγάλων πραγμάτων εἰσίῃς. ἐν γὰρ τούτοις δεῖ σε τὴν παρὰ τῶν ἀκουόντων ἔννοιαν ἀντιπίπτουσαν ἀεὶ διοικεῖσθαι ἐν προοιμίοις ἢ αἰτίας εὐλόγους λέγοντα δι' ἃς καίπερ νέος ὢν εἰσῆλθες· ἢ ἀκούσιον τὸν ἀγῶνα λέγοντα, ἐὰν πρὸς ἔνδοξα πρόσωπα εἰσίῃς, ἀναγκαῖον δὲ τῷ ὑπὲρ μεγάλων τὸν ἀγῶνα εἶναι· ἢ δυσχεραίνοντα ἐπ' αὐτῷ τούτῳ τῷ εἰς ἀνάγκην ἀγῶνος ἥκειν, [ἢ] ἐὰν πρὸς συγγενεῖς ἢ φίλους ὄντας πρότερον εἰσίῃς.

38. Γίγνεται δ' ἐκ πράγματος [προοίμιον] ἀντιπῖπτον ἢ ὅταν περὶ μικρῶν δοκῇς σπουδάζειν, ὡς ἐν τῷ πρὸς Βοιωτὸν περὶ τοῦ ὀνόματος, ἢ ὅταν ἀτοπίαν ἔχειν δοκῇ ὃ μέλλεις λέγειν καὶ οὐκ ἂν ἑτοίμως πρόσοιντο αὐτὸ οἱ ἀκούοντες, ὡς ἐπ' ἐκείνου· ⟨ὁ⟩ Θεμιστοκλῆς ἀξιοῖ δῃῶσαι τὴν πόλιν ἐκλιπόντων τῶν Ἀθηναίων αὐτήν· αὐτὸ γὰρ τὸ πρᾶγμα ὃ παρῄνει ἄτοπον εἶναι δοκεῖ· **39.** ἢ ὅταν ἐπαχθές τι δοκῇς λέγειν, ὡς ὁ ἀναιρεῖν νόμον γράφων· **40.** ἢ ὅταν παράδοξόν τι δοκῇς λέγειν, ὡς ὁ συμβουλεύων πλεῦσαι βασιλεῖ διὰ τοῦ Ἄθω· δοκεῖ γὰρ παράδοξον εἶναι καὶ παρὰ τὴν ἔννοιαν τῶν πολλῶν· **41.** ἢ ὅταν *226* ἀηδές τι δοκῇς λέγειν καὶ οὐ | κεχαρισμένον [τι ποιῶν] τοῖς ἀκούουσιν, ὡς ὁ γράφων παῦσαι τὰς διανομὰς ἐπιλειπουσῶν τῶν τεχνῶν, καὶ ὅσα τοιαῦτα ὁμογενῆ.

42. Γίνεται δ' ἀντιπῖπτον καὶ ἀπὸ αἰτίας ὅταν οἱ ἀκούοντες ὑποπτεύωσι τὴν αἰτίαν δι' ἣν ἐπὶ τὴν κατηγορίαν ἥκεις, οἷον ὅταν πρὸς ἔχθραν τινῶν ἢ χάριν ἢ ὀργὴν δοκῇς λέγειν· ἢ ὅταν ὑπὲρ ἑαυτοῦ δοκῇς σπουδάζειν καὶ μὴ τοῦ κοινῇ συμφέροντος, ὡς ἐπ' ἐκείνου· ἐξαιτοῦντος τοῦ Φιλίππου τὸν Δημοσθένην μετὰ Χαιρώνειαν, αὐτὸς Δημοσθένης ἐνίσταται· δοκεῖ γὰρ ὑπὲρ τῆς ἑαυτοῦ σωτηρίας,

1 ⟨ὡς⟩ περὶ *B* ⟨ὧν⟩ περὶ Fi. | τούτοις γὰρ *A* || 3 δι' – 4 λέγοντα (ὁμ.) om. *A* || 5 τῷ] τοῦτον *A* ⟨ἐν⟩ τῷ Sp. || 6 del. Fi. ἐὰν ᾖ coni. Ha. || 7 πρότερον ὄντας *B* || 8 del. Fi. προοιμιακὸν *B* || 9 μικρῷ *AB*, corr. Fi. | δόξῃς A || 10 δόξῃ Sp. || 11 ἐκείνῳ *B* | add. Sp. ⟨οἷον⟩ ὁ *B* || 12 ἐκλιπόντων – αὐτήν] ἐπιόντων τῶν βαρβάρων *B* | [αὐτήν] coni. Ha. || 13 παραινεῖς *B* παραινεῖ Ba. || 15 συμβουλεύων] παραινῶν *B* | βασιλεῖ πλεῦσαι *B* || 16 ἔννοιαν] ὑπόνοιαν *A* || 17 κεχωρισμένον *A* | del. Sp. | τι – ἀκούουσιν om. *B* || 18 διανομὰς] διαμωμὰς *B* | ἐπιλιπουσῶν *A* || 19 ὁμοιογενῆ *B* || 20 ἀντιπίπτοντα *A* || 20.21 ὑποπτεύσωσι *A* || 22 ἔχθραν – ὀργὴν] χάριν ἢ δι' ἔχθραν τινῶν ἢ δι' ὀργὴν *B* | σεαυτοῦ *B* || 23 καὶ μὴ] ἀλλ' οὐ *B* ἀλλὰ μὴ Sp. | κοινοῦ *A* || 24 τοῦ et τὸν om. *A* || 25 αὐτὸς ⟨ὁ⟩ *B*

speak on great matters. For in these cases it is necessary in the prooemia for you always to take account of the thought of the hearers that is adverse to you, either giving probable reasons why, although young, you come forward, or saying the debate is forced upon you unwillingly, if you speak against a respected person, but that it is necessary because it is concerned with great issues; or expressing your dismay at the very fact of the necessity of the contest if you come forward to speak in reply to relatives or former friends.

38. An adverse factor arises from a thing either when you seem to be serious about small things, as (in Demosthenes' speech) in reply to Boiotos about the right to use that name,[32] or when what you are going to say seems out of place and the hearers would not readily accept it, as in the following: Themistocles thinks it right to destroy the city after the Athenians abandoned it. The very thing which he advocates seems to be out of place. **39.** Or when you seem to say something troublesome, as does one introducing a motion to abolish a law. **40.** Or when you seem to say something paradoxical, as does one advising a king to sail through Mount Athos; for it seems a paradox and contrary to the thought of most people. **41.** Or when you seem to be saying something unpleasant and not liked by the hearers, as does one introducing a measure to stop subsidies when the crafts fail (to provide adequately for the public's needs),[33] and other generically similar subjects.

42. An adverse factor also arises from a fault whenever the hearers suspect your reason for making an accusation; for example, whenever you seem to speak out of enmity for certain people or for favor or in anger; or whenever your zeal (whether in prosecution or defense) seems a matter of self-interest rather than what is to the common advantage, as in the following: When Philip demands that Demosthenes be surrendered to him after Chaironeia, Demosthenes himself resists; his zeal seems motivated by his own safety and not the common advantage. Therefore he will remove

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[32] Demosthenes 39, probably not genuine.

[33] Cf. Plutarch, *Numa* 17.2.4.

ἀλλ' οὐχὶ τοῦ κοινῇ συμφέροντος σπουδάζειν· τοῦτο οὖν παντάπασιν ἀναιρήσει τὸ δοκεῖν ὑπὲρ ἑαυτοῦ λέγειν, ἢ συντρέχων τῷ καὶ ὑπὲρ αὐτοῦ σπουδάζειν τὸ τῆς πόλεως συμπλέξει.

43. Ἄλλο θεώρημα. ἔστι καὶ τοιοῦτον γένος προβλημάτων ἐν οἷς βραδύτερον δοκεῖς ἐπεξιέναι δέον πάλαι, ὡς ἐπ' ἐκείνου· πολλάκις τις χρώμενος τοῖς τῶν ἀνδροφόνων καθαρσίοις κρίνεται φόνου. **44.** καὶ πάλιν· πολλάκις κατατρέχοντος Φιλίππου Χερρόνησον συμβουλεύει Δημοσθένης αὐτὴν διορύξαι· δοκεῖ γὰρ ὁ Δημοσθένης μετὰ
227 πολλὰς καταδρομὰς βραδέως συμ | βουλεύειν. τοῦτο οὖν αὐτὸ λέξει ἐν προοιμίῳ, ὅτι "ὡς μὲν πολὺ βέλτιον ἦν πάλαι τινὰ ἐπανόρθωσιν γενέσθαι τῶν περὶ Χερρόνησον, ὅτε καὶ πρῶτον κατέδραμε Φίλιππος, εὖ οἶδα· οὐ μὴν ἀλλά, ἕως μὲν ἐλπὶς ἦν ἀφέξεσθαι τὸν Φίλιππον τῶν συμμάχων, ἐπεῖχον· ἐπεὶ δὲ τὸ πρᾶγμα ἔτι μᾶλλον αὔξεται". καὶ ἐπ' ἐκείνου δὲ χρήσῃ τῷ θεωρήματι· συνεχῶς πλούσιος πένητος ἀνδριάντα ποιεῖ καὶ κρίνεται ὑπ' αὐτοῦ ὕβρεως· χρήσεται γὰρ ὁ πένης τῷ αὐτῷ θεωρήματι, ὅτι "ἔδει μὲν καὶ πάλαι τούτῳ ἐπεξελθεῖν ὅτε καὶ πρῶτον ὑβρίζειν ἤρξατο". **45.** ἢ ἄλλως μεθοδεύσει τὸ θεώρημα, ὅτι "ἕως μὲν οἷός τ' ἦν φέρειν τὴν τούτου ὕβριν, κατεῖχον ἐμαυτόν". καὶ ὅλως ἐπὶ πάντων σοι τὸ θεώρημα ἁρμόσει ἐν οἷς ἄν τις πάλαι καὶ ἐν πολλοῖς ἀδικήσας νῦν κρίνηται.

46. Ἄλλο θεώρημα. ἔστι πολὺ γένος προβλημάτων τῶν ἐξ ἀποβάσεως τοῦδέ τινος λεχθέντος ἢ γραφέντος, οἷον ἐκ νόμου ἢ ψηφίσματος ἀπέβη τι δεινὸν καὶ κρίνεται ὁ δοκῶν τὴν αἰτίαν παρέχειν· ἐν
228 γὰρ τούτοις ἁρμόσει λέγειν ὅτι "βέλτιον μὲν ἦν πρὶν | ἐκβῆναί τι δυσχερὲς ἐκ λογισμοῦ πεφυλάχθαι τὸ παθεῖν τι δεινὸν καὶ τὸν κατασκευάζοντα ἀνόνητον πεποιηκέναι τοῦ σκαιωρήματος, δεύτερον δὲ τῇ

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1 οὐ *B* | οὖν ⟨ἢ⟩ *B* | ⟨τὴν⟩ παντάπασιν *B* || 2 ἀναιρήσεις Fi. | τὸ] τῷ *B* | λέγειν] σπουδάζειν *B* || 3 σεαυτοῦ . . . συμπλέξεις Fi. || 4 θεώρημα om. *B* | ἐν οἷς] ὅταν *B* || 5 δοκεῖς *A* δοκῇς *B* | πολλάκις *A* πολλακῶς *B* || 7.8 συμβουλεύει] γράφει *B* et Hermog. || 8 διορύξαι αὐτὴν *B* διορύξαι τὸν Ἰσθμὸν Hermog. || 9 ⟨ἄρχεσθαι⟩ συμβουλεύειν *B* || 10 προοιμίοις *B* | ὅτι om. *B* | πολὺ] δὴ *B* || 12 μὲν om. *B* | ἐφέξεσθαι *A*, corr. W. ⟨αὐτὸν⟩ ἀφίξεσθαι *B* || 16 ὅτι] οἷον *B* | καὶ om. *B* || 17 ὅτι *B* | μεθοδεύσεις *B* || 18 ἦν οἷός τε *B* || 19 τῶν θεωρημάτων *B* | ἁρμόσαι *A* || 20 πάλαι ⟨καὶ ἐκ πολλοῦ⟩ *B* καὶ ἐν πολλοῖς del. Ha. || 21 πολὺ] πάλιν Fi. ⟨καὶ⟩ πολὺ Ha. (Ph.) | προβλημάτων τῶν] πρόβλημα τῶν *B* || 22 ante τοῦδέ pars folii abscissa est in *A*, unde ⟨ὅπου⟩ τοῦδέ coni. Sp. | λεχθέντος] πραχθέντος Ha. (Ph.) | ἐκ del. Sp. || 23 παρέχειν *A* παρασχεῖν *B* || 24 ὅτι] οἷον *B* | τι] τὸ *B* || 26 ἀνόητον *B*

this appearance of speaking in self-interest in every way possible or, meeting the charge of self-interest head-on, he will weave in the best interest of the city.

43. Another theorem. There exists also a class of themes in which you seem to be rather slow in taking up a case when you should have done so long ago, as in the following: A person who has often used purification by human sacrifice is charged with murder. **44.** And again: When Philip has often overrun the Chersonese, Demosthenes advises digging a canal through it.[34] For Demosthenes seems to be slow in giving advice after many incursions. Thus, in a prooemion he will acknowledge this point, saying "I well know how much better some correction of policies relating to the Chersonese would have been if undertaken long ago, including the first time Philip overran the area; nevertheless, as long as there was hope that Philip would keep his hands off our allies, I held back. But since the matter will become still more serious, ⟨I now come forward⟩." And you will use this theorem in the following: A rich man repeatedly makes an image[35] of a poor man and is brought to court by him on a charge of hybris. The poor man will use the same theorem, saying "I ought to have prosecuted this man a long time ago when he first began to insult me." **45.** Or he will cast the theorem in a different form, saying, "As long as I was able to bear this man's insult, I restrained myself." And, in general, this theorem will fit all cases in which someone is now brought to court who has committed a wrong a long time ago and in many instances.

46. Another theorem. There is a large class of themes for declamation dealing with the result of something that has been said or written; for example, from a law or decree something dreadful has resulted and the person who seems to have furnished the cause is brought to trial. In these cases it will be fitting to say, "It would have been better, before something bad resulted, by reasoned argument to have guarded against suffering something dreadful and to have prevented the person who originated the idea from having any advantage from the mischief, but secondly ⟨now⟩ to be

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[34] To cut the Greek cities off from the mainland; cf. Hermogenes, *On Invention*, p. 134, 6–8 ed. Rabe, and below 1.72 and 3.16.

[35] Probably a caricature, publicly ridiculing the poor man; an image made for magical purposes is likely to have been kept secret.

πείρᾳ διδάσκεσθαι". **47.** οἷον ὡς ἐπ' ἐκείνου· ἔγραψε τὸ περὶ Χαριδήμου ψήφισμα ὁ Ἀριστοκράτης· ὁρᾷς ἐνταῦθα ἐκ τοῦ ψηφίσματος οἷον ἀπέβη τὸ περὶ Χερρόνησον. λέξεις οὖν ὅτι "βέλτιον ἦν πρὶν ἐκβῆναι τοῦτο δίκην παρὰ τούτου ἀπῃτηκέναι καὶ τὸ ψήφισμα λελυκέναι· οὕτω γὰρ οὐκ ἂν ἀπέβη τι δεινόν". **48.** καὶ πάλιν ἐπ' ἐκείνου· ἔπεισέ τις Σκύθας τοὺς νομάδας πόλιν οἰκῆσαι καὶ νοσούντων αὐτῶν κρίνεται. **49.** καὶ πάλιν ἐπ' ἐκείνου· ἔπεισέ τις ῥήτωρ ἐν στάσει τὰ ὅπλα παραδοῦναι τῷ στρατηγῷ καὶ τυραννήσαντος αὐτοῦ κρίνεται ὁ ῥήτωρ συνειδότος. **50.** καὶ ὅλως τοσαῦτα εὑρήσεις προβλήματα ὑποπίπτοντα τούτῳ τῷ γένει. ἐπὶ δὲ τῶν τοιούτων κἀκείνῳ χρήσῃ τῷ θεωρήματι, ὅπου τι δεινόν· "ἃ μὲν ἀπολελαύκαμεν τῆς τούτου συμβουλίας ἑωράκατε". ἀλλὰ τοῦτο μὲν τὸ ἐννόημα ἐπιπολαιότερον, ἐκεῖνο δὲ βαρύτερον ἐν τῷ αὐτῷ γένει τούτῳ τῷ ἐξ ἀποβάσεως. **51.** καὶ ὅσα δ' ἐν καταφορᾷ κεῖται, ἁρμόττει τούτῳ, πρῶτον μέν, "εἰδὼς ὑμᾶς, ὦ | *229* δικασταί, καὶ τῶν νόμων καὶ τῆς καθεστώσης πολιτείας πολλὴν πρόνοιαν πεποιημένους, οὐ μικρὰ ⟨δ'⟩ ὁρῶν τὴν πόλιν εἰς ταῦτα βλαπτομένην ὑπὸ τούτου τὸν παρόντα τοῦτον ἐνεστησάμην ἀγῶνα, νομίζων οὔτε τὴν τῶν ἀντιδίκων δεινότητα καὶ βίαν οὔτε ἄλλο τοιοῦτον οὐδὲν ἔσεσθαι τῶν παρ' ἡμῖν δικαίων δυνατώτερον".

52. Ἄλλο δεύτερον. "ἐν μὲν οὖν τοῖς ἄλλοις ἅπασιν ἀγῶσι παρὰ τῶν κατηγορούντων τὴν αἰτίαν τῆς κατηγορίας μαθεῖν δεῖσθε, ἐν δὲ τῷ παρόντι τούτῳ αὐτοὶ φθάνοντες πρὸ τῶν λόγων τῶν ἡμετέρων

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1 τὸ περὶ] ποτε τοῦ *B* ‖ 2 ἀριστοκράτης ⟨χερρονήσου ὑπὸ χαριδήμου κατειλημμένης κρίνεται ὁ ἀριστοκράτης⟩ *B* del. Ha. cf. 96.1 | ὁρᾷς om. *B* ‖ 4 παρ' αὐτοῦ *B* | ἀπηντηκέναι *B* ‖ 5 οὐκ] οὐδὲν *B* | τι om. *B* ‖ 6 οἰκῆσαι ⟨τινὰ⟩ *A* ‖ 7 κρίνεται] συμβουλεύει τις εἰς τὰ συνήθη μιθίστασθαι *B* | τις om. *A* ‖ 8 τὰ] καὶ Sp. | τυραννίσαντος *A* ‖ 9 εὑρήσεις τοσαῦτα *B* ‖ 10 προβλήματα ⟨τὰ⟩ *B* | γένει ⟨ὅσα οὐκ ἄλλα⟩ *B* et (ἄλλα] ἄλλῳ Sp.) Sp. | ἐπὶ] ἐπεὶ *B* ‖ 11 ὅπου – δεινόν del. Ha. (Ph.) ‖ 12 συμβουλῆς *B* | ὁρᾶτε *B* | ⟨καὶ⟩ ἄλλα *B* ‖ 14 καὶ om. *B* | τούτου *B* ‖ 15 μέν om. *B* | ὑμᾶς ⟨ταῦτα⟩ *B* ‖ 16 πρόνοιαν] πάνυ σπουδὴν *B* σπουδὴν Sp. | ὁρῶν οὐ μικρὸν *B* | add. Sp. ‖ 17 βεβλαμμένην *B* | ὑπὸ τούτου] θαρρῶν *B* ‖ 19 τοιοῦτον Ba. τι τούτων *A* τῶν πάντων *B* | ἔσεσθαι post δικαίων *B* | παρ' ἡμῖν om. *B* | ὑμῖν Sp. ‖ 22 δεῖσθαι *AB*, corr. W. δεῖ Sp. ‖ 23 φθάνοντες αὐτοὶ *B* | ⟨καὶ⟩ πρὸ *B*

taught by experience." **47.** For example, in the following: Aristocrates introduced a motion about Charidemus;[36] you see then what resulted from his decree about the Chersonese. You will, therefore, say that "It would have been better, before this resulted, to have sought justice from him and to have rescinded the decree; for thus something dreadful would not have resulted." **48.** And again in the following: Someone persuaded the Scythian nomads to found a city, and when they became ill (as a result of living in unhealthy conditions) he is brought to trial.[37] **49.** And again in the following: A certain speaker, during a time of civil dissent, successfully argued that arms be given to the general, and when the general made himself tyrant, the speaker is brought to trial on a charge of conspiracy. **50.** And over all you will find many such themes for declamation falling in this class. In cases of this sort, where something is dreadful, you may also use the following theorem: "You have seen what we have benefited from this man's advice!" But this (ironic) thought is rather trivial, whereas the former example is a more serious treatment in the same genus of argument from result. **51.** And the effect of a sudden seriousness fits this argument (if you say) first of all, "Knowing that you, judges, have given much foresight to the laws and the established constitution, but seeing the city harmed in no little way by this man to the present degree of danger, I have entered into this debate," (and then continue in a serious tone) "thinking that neither the cleverness and violence of my opponents nor anything else of the sort is going to be stronger than the justice on our side."

52. A second and different (form of the theorem from result): "Now in all other contests you ought to learn the cause of the prosecution from the prosecutors, but in this present case you yourselves, anticipating our speeches,

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[36] Cf. Demosthenes 23.3.
[37] Cf. below, 1.54 and 72; 2.15; 3.8; cf. also Philostratus, *Lives of the Sophists* 572–73.

προεπίστασθε, ὡς εἰς ἅπαντας τὰ τετολμημένα ἐκπεφοίτηκεν, ὥστε μὴ ἁμαρτεῖν τὸν εἰπόντα οὐ δικαστὰς μόνον ὑμᾶς, ἀλλὰ καὶ κατηγόρους εἶναι".

53. Τρίτον δὲ τοῦτο· "οὐ μίαν δέ, ὡς ἔοικεν, ὦ ἄνδρες δικασταί, γνώμην οὐδὲ τὴν αὐτὴν ἔχειν μοι συμβαίνει περὶ τῶν τούτῳ τετολμημένων· καὶ γὰρ δύσκολον εἶναι καὶ ῥᾷστον ἐμαυτῷ νομίζω τοῦτον τὸν ἀγῶνα καθεστηκέναι· αὐτῶν μὲν γὰρ ἕνεκα τῶν πραγμάτων καὶ πάνυ ῥᾴδιον, οὕτω πολύ τι τὸ πλῆθος τῶν τετολμημένων· *230* δύσκολον δ' ἐκείνῃ, ὅτι μὴ ῥᾷστον | ἐφικέσθαι τῶν τετολμημένων· οὐ μὴν διὰ τοῦτο ἡγοῦμαι προσήκειν ἐμαυτῷ τὴν κατηγορίαν ἀφεῖναι, ἀλλ' ὡς ἂν οἷός τε ὦ δεῖξαι τὰ τούτῳ τετολμημένα καὶ παραστῆσαι". **54.** ἔστων παραδείγματος ἕνεκα, οἱ ἐπὶ τοῖς Ποτιδαιάταις κρινόμενοι Ἀθηναῖοι καὶ ὁ Αἰσχύλος ὁ ἐπὶ ταῖς Εὐμενίσι καὶ ὁ ἐπὶ τῷ λοιμῷ τῶν Σκυθῶν καὶ ἐπὶ πάντων ὅπου τι μέγα ἐστὶ καὶ ὡμολογημένον ἀδίκημα.

55. Ἄλλο θεώρημα. εἰρήκαμεν ἐν τοῖς ἐξ ἀποβάσεως τί δεῖ ποιεῖν τὸν κατήγορον· φέρε οὖν εἴπωμεν τί δεῖ ποιεῖν τὸν φεύγοντα. ἐὰν τοίνυν ἐκβεβηκὸς ᾖ τι ἄτοπον ὡμολογημένον, τῷ μὲν ἀνιαρὸν αὐτὸ εἶναι σύντρεχε, τὸ δ' ἑξῆς ἀναίρει λέγων, ὡς οὐ δικαίως αὐτὸς φεύγει· οὐ γὰρ ἐπ' ἐκείνοις αὐτὰ συνεβούλευσεν οὐδ' ἂν προσεδόκησεν, ὡς ἐπ' ἐκείνου· **56.** ὁ Φίλιππος ἔδωκεν αἵρεσιν τοῖς Ἀθηναίοις, πότερον βούλονται ὅπλοις ἢ λόγοις δικάζεσθαι· ὁ Δημοσθένης συνεβούλευσε λόγοις καὶ εἰπὼν αὐτὸς ἡττήθη καὶ κρίνεται. **57.** ὁρᾷς ὅτι ὡμολογημένον ἐστὶ κακὸν καὶ ἄτοπον τὸ περὶ τὴν ἧτταν. καὶ πάλιν ἐπ' ἐκείνου· ἔγραψεν ὁ Ἀριστοκράτης τὸ περὶ τοῦ

1 προεπίστασθαι *AB*, corr. W. | ὡς *A* οὕτως *B* | ἅπαντα *A* || 2 μὴ ⟨ἂν⟩ *B* | οὐ] μὴ *B* | μόνον om. *B* || 6 τοῦτον om. *B* | ῥάδιον Sp. || 8 | τι] τε *A* | πλῆθος ⟨καὶ τὸ μέγεθος ἐστι⟩ *B* || 9 δύσκολον – τετολμημένων (ὁμ.) om. *B* | ῥάδιον Sp. || 10 δι' αὐτοῦ *B* | ἀφεῖναι om. *B* || 11 τούτοις *AB*, corr. Ba. || 12 ἐστὶ *A*, corr. Ha. ὧδε *B* | ⟨οἷον⟩ οἱ W. || 13 Αἰσχύλος ὁ del. Sp. | τῷ λοιμῷ τῶν] τῶν λοιμωττόντων *B* || 14 μέγα τι *B* | ἐστὶ om. *B* || 15 ⟨τὸ⟩ ἀδίκημα *B* || 16 ἄλλο θεώρημα om. *B* || 16 et 17 τίνα *B* || 17 εἴπομεν *B* || 18 ᾖ τι om. *B* | ὡμολογημένον ⟨ᾖ⟩ *B* | τῷ Ha. τὸ *AB* || 19 συντρέχει *B* | τὸ] τῷ *B* | ἀναιρεῖ *B* || 20 οὐ] οὐδὲ *B* | ἐκείνοις αὐτὰ] τούτοις ἐκεῖνα *B* | ⟨ὃς⟩ οὐδ' *B* || 20.21 προσεδόκησα *AB*, corr. Ba. || 22 λόγῳ *B* || 23 αὐτὸς εἰπὼν *B* || 24 ὅτι ⟨τὸ ἄτοπον⟩ *B* | κακὸν – τὸ om. *B* || 25 καὶ om. *B* | ὁ om. *B*

know ahead of time how the rash deeds (of the defendants) have affected everybody, with the result that it is no mistake to say that you are not only judges but even accusers."

53. And thirdly, this (form of the theorem from result): "As it happens, gentlemen of the jury, I do not have a single and consistent mind about the rash actions of this man; for I think the case I have undertaken is both difficult and quite easy. Now because of the facts involved it is rather easy, so great has been the number of rash doings; but it is difficult in that it is not the easiest thing to attain knowledge of these rash doings. I do not for this reason think it right for me to abandon the accusation, but to the best of my ability to show what has been rashly done by this man and to present the case."[38] **54.** Let examples be the case of the Athenians tried for treatment of the Potidaeans[39] and Aeschylus for his treatment of the Eumenides[40] and the one charged with the responsibility for pestilence among the Scythians[41] and in all cases where there is some great and acknowledged wrong.

55. Another theorem. In discussion of argument from result we have said what the accuser should do. Now let us say what the defendant should do. If then there has been some unexpected result, generally acknowledged, on the one hand the defendant grants that it is grievous but next he offers a defense by saying that he himself is not justly charged. He did not give the advice he gave for purpose of these results, nor would he have expected what happened; as in the following: **56.** Philip gave the Athenians the choice of whether they want judgment to be made by arms or by speeches; Demosthenes counseled that it be by speeches, and having himself spoken (in a contest before Philip) was defeated and is brought to trial (by the Athenians). You see that the circumstance of the defeat is acknowledged to be an evil and unexpected. **57.** And again in the following: Aristocrates

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[38] Perhaps the distinction is that the actions are well known but it will be difficult to prove that they were done by the defendant.

[39] Cf. pseudo-Hermogenes, *On Invention* p. 117, 19–20 ed. Rabe.

[40] In the play of that name, which is imagined as involving impiety or having frightened the audience; cf. Aelian, *Varia Historia* 5.19, and Heath, p. 118.

[41] Cf. above 1.48; below 1.72; 2.15; 3.8.

Χαριδήμου ψήφισμα, ἀποστάσης Χερρονήσου κρίνεται. κἀνταῦθα τὸ ἐκβὰν ὡμολογημένον ἐστὶν ἄτοπον· οὐκ ἄτοπον οὖν εἰπεῖν, "τὸ μὲν
231 οὖν ὑμᾶς ἐπὶ | τοῖς συμβεβηκόσιν ἀγανακτεῖν οὐδὲν ἀπεικός· οὐ μὴν χρὴ τούτων [εἰς] ἐμὲ τὴν αἰτίαν ἔχειν, ὃς οὐκ ἐπὶ τούτοις εἰσήνεγκα τὸν νόμον". καὶ ὅλως ἐπὶ πάντων ἁρμόσει τῶν τοιούτων.

58. Ἐπὶ δὲ τῶν κατηγόρων τῶν ἐξ ἀποβάσεως ἁρμόσει μέν σοι καὶ τὰ προειρημένα θεωρήματα, οὐχ ἥκιστα δὲ κἀκεῖνο· "εἰ μὲν ἐξαρκεῖ τὸ ἀλγεῖν ἐπὶ τοῖς συμβεβηκόσιν, οὐκ ἄξιον μέν, φέρειν δ' ὅμως ἀνάγκη· εἰ δὲ μή, τιμωρίαν χρὴ λαβεῖν". **59.** ὁπόταν δὲ κρίνειν τινὰ μέλλῃς μεταβολῆς τινος [καιροῦ βελτίονος] γενομένης, ἧς πρότερον μὴ οὔσης οὐκ ἠδύνασο κρίνειν, ἁρμόσει σοι λέγειν, "ἐπειδὴ καλῶς ποιοῦντες οἱ θεοὶ δεδώκασιν ἡμῖν καιρόν, οἷον μάλιστα ηὐχόμεθα"· **60.** ἢ οὕτως, "πάλαι δυσχεραίνων τοῖς συμβεβηκόσι καὶ τετολμημένοις ὑπὸ τούτου, νῦν ἐπειδὴ καιροῦ ἐλαβόμην". **61.** ὡς ἐπ' ἐκείνου· ὁ Ἰσμηνίας ἐπαυλήσας ταῖς Θήβαις κρίνεται μετὰ τὸν Ἀλεξάνδρου θάνατον. **62.** καὶ πάλιν ὁ Πύθων μετὰ τὴν Φιλίππου τελευτὴν κρίνεται τῶν εἰς τοὺς Ἕλληνας ἀδικημάτων. **63.** καὶ ἐκ τοῦ ἀπολογουμένου βαδίσεις λέγων συνήδεσθαι καὶ αὐτὸς ἐν τῷ παρόντι καιρῷ, ἵνα, εἰ καί τις ἦν πρότερον διαβολή, ταύτην ἐξέλῃς. **64.** ὁπόταν δέ σε λυπῇ | τι ἢ ἀπὸ καιροῦ χαλεποῦ ἢ ἀπὸ δυνάμεως ἐχθρῶν ἢ ἀπὸ
232 κέρδους δοκοῦντος ὑπὸ τῶν ἐναντίων προτείνεσθαι, τοῦτο αὐτὸ προαναίρει [ἐν προοιμίοις] καὶ προθεράπευε λέγων τἀναντία ὑπειληφέναι περὶ τῶν ἀκουόντων ⟨ἢ⟩ ὥς τινες οἴονται. **65.** ἢ οὕτως ἐξ ἀτόπου προτάσεως· "εἰ μὲν ἑώρων παραπλησίως ὑμᾶς διακειμένους τούτοις". οἷον τὸ μὲν ἀπὸ καιροῦ φοβεροῦ καὶ δυνάμεως ἐχθρῶν ἐκεῖνο, ὡς

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1 κρίνομεν *B* ‖ 2 ἐκβὰν ⟨ὡς⟩ *B* ‖ 3 οὖν ὑμᾶς] ἀλγεῖν ἡμᾶς *B* | ἀγανακτεῖν om. *B* ‖ 4 del. Sp. ἐπ' *B* | ἔχειν] φέρειν *B* ἀναφέρειν Ba. | ὃς] ὡς *A* ‖ 5 ἁρμόττῃ *A* ‖ 6 δὲ] μὲν *B* | τῶν *A* ἐν τοῖς *B* utrum del. Sp. ‖ 7 τὸ προειρημένον θεώρημα *B* | κἀκεῖνο *A* κἀκεῖνα *B* | μὲν ⟨γὰρ⟩ *B* ‖ 8 ὅμως Fi. οὕτως *A* οὖν *B* ἴσως coni. Ha. ‖ 9 μή Ha. (76) καὶ *AB* | ὅταν *B* ‖ 10 μέλλῃς ⟨ἐφ' οἷς πρότερον οὐκ ἠδυνήθης⟩ *B* | τινος *A* quod del. Sp. ἀστείας *B* | καιροῦ] καὶ *B* | del. Ha. (Ph.) ut glossam ad μεταβολῆς τινος ‖ 11 ἐδύνασο *B* | ἁρμόζει *B* | ⟨τὸ⟩ λέγειν *B* ‖ 12 οἷον ⟨ἂν⟩ *B* | ηὐξάμεθα *B* ‖ 13 ⟨ἐπὶ⟩ τοῖς *B* ‖ 15 θήβαις ⟨ἀποσκαπτομέναις⟩ *B* Θ. κατασκαπτομέναις Ba. ‖ 16 θανάτου Sp. ‖ 18 βαδίσεις Ha. (Ph.) βιάσῃ *AB* ἐργάσῃ etiam Ha. προοιμιάσῃ Ba. | αὐτὸν Sp. | ἐν deleverit Ha. (Ph.) ‖ 19 διαβολὴ πρότερον *B* ‖ 21 τῶν ἐναντίων] τοῦ ἐχθροῦ *A* | προτείνεσθαι] προσγίγνεσθαι *B* | ἀναίρει *B* ‖ 22 ἐν προοιμίοις (hab. *AB*) del. Sp. | θεράπευε *B* ‖ 23 add. Ba. ‖ 24 τουτοισί *B* ‖ 25 τὸ Ba. τοῦ *AB* | ἐχθροῦ *B*

was the author of the decree about Charidemus; after the Chersonese revolted, he is brought to trial.[42] Here the agreed upon result is unexpected. It is not out of place, then, for him to say, "There is nothing improbable in your being distressed at those who advised you, yet surely it is not necessary for me to bear the blame, I who did not introduce the law for these reasons." And this will fit all such cases.

58. Theorems described earlier will be fitting for you to use in prosecutions based on result, and not least the following: "If suffering at the attendant consequences is enough, it is not fair but it is necessary to bear up; but if that is not enough, there is need to impose punishment." **59.** Whenever you are going to bring someone to trial after some change (for the better) has occurred that you were not able to judge before it happened, it will be fitting for you to say, "When working in our favor, the gods have given us an opportunity which we most prayed for." **60.** Or in this way, "After suffering long ago at the circumstances resulting from the rash deeds of this man, now I have seized for myself the opportunity (to prosecute him when it was offered)." **61.** As in the following: Ismenias, who played the flute for the Thebans (as they marched into battle), is brought to trial after the death of Alexander.[43] **62.** And again, the Delphic oracle is brought to trial after the death of Philip for its wrongs against the Greeks. **63.** And if speaking in defence, you will proceed to say that you yourself rejoice at the present occasion, in order that you may counteract any slander that might have been uttered against you in the past. **64.** But whenever something troubles you, either from an awkward occasion or from the power of enemies or from a seeming advantage to yourself alleged by your opponents, you will take this up first and provide against it ahead of time by saying that you have the opposite assumptions about the hearers from what some people think. **65.** Or as follows, (arguing) from a mistaken proposition, "If I saw you (the hearers) disposed as these are. . . ." For example, using argument from a frightening occasion and power of enemies, as before the Thessalians

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[42] Cf. Demosthenes 23.

[43] On a false report of Alexander's death in 335 B.C. Thebes revolted; Alexander recaptured the city and destroyed it. The city was rebuilt after Alexander's death. Ismenias was a famous Theban fluteplayer; cf. Plutarch, *Demetrius* 1.6; Pliny, *Natural History* 37.3.6. In this declamation he is charged with of responsibility for the destruction of the city on the ground that his music encouraged the revolt.

ἐπὶ τῶν Θετταλῶν οἷς ἐπαπειλεῖ βασιλεὺς ἐπαφεῖναι τὸν Πηνειόν. **66.** ἀπὸ δὲ τοῦ κέρδους, ὡς ἐκεῖνο· ὁ Αἰσχίνης προῖκα ἐκόμισε σῖτον παρὰ τοῦ Φιλίππου πεμφθεὶς πρὸς Κερσοβλέπτην, καὶ κρίνεται. **67.** [ἐξ ἀπολογίας.] ὁπόταν δέ τι εὖ πεποιηκέναι φάσκοντες ἔτι κρινώμεθα, ἁρμόσει τὸ ἐκ βαρύτητος οὕτως· "ᾤμην μὲν ἔγωγε καὶ ἐπαίνων τεύξεσθαι". **68.** ἢ οὕτως· "οὐκ ἂν προσεδόκησα τοιοῦτον ἀπαντήσειν τέλος". οἷον μετὰ νίκην τις κρινόμενος χρήσεται τούτῳ, ὡς ἐπ' ἐκείνου· στρατηγὸς καθελὼν μέρος τι τοῦ τείχους ⟨εἶτα⟩ ἐξελθὼν ἐνίκησε καὶ κρίνεται. ἐκ δὲ τοῦ κατηγόρου αὐτῷ τούτῳ συμπλεκόμεθα λέγοντες "οὐκ ἔστι χαλε | πώτερον οὐδὲν ἢ ὅταν τις τὰ μέγιστα ἠδικηκὼς
233 ἔτι καὶ φιλοτιμῆται τοῖς πραχθεῖσιν".

69. Ἄλλο. ἐν ἐκείνοις δὲ τοῖς προβλήμασιν ἐν οἷς δοκοῦμέν τι ὑπὲρ ἑαυτῶν σπουδάζειν καὶ τοῦ ἰδίου ἕνεκα συμφέροντος εἰσηγεῖσθαί τι, καὶ τὸ τῆς πόλεως συμφέρον συμπλέκειν ἄξιον· εἰ δέ γε ἔνδοξον εἴη τὸ πρόσωπον τὸ λέγον, λέξει ὅτι "εἰ μὲν ἑώρων ὑπὲρ ἐμαυτοῦ μόνου ὂν τὸ σκέμμα, ἐσιώπων ἄν, ἐπεὶ δὲ καὶ τῆς πόλεως". **70.** οἷον ὡς ἐπ' ἐκείνου· τὸν Περικλέα αἰτοῦσιν οἱ Λακεδαιμόνιοι ἐπὶ ὑποσχέσει εἰρήνης, αὐτὸς ἀντιλέγει. **71.** ὅταν ἔν τινι δυσκολίᾳ καιροῦ γράφῃς τινὰς ἐπανορθώσεις, ἁρμόσει τὸ ἐξ ἀτόπου προτάσεως θεώρημα· οἷον "εἰ μὲν ἐξαρκεῖ τὸ ἀνιᾶσθαι ἢ ἀλγεῖν ἐπὶ τοῖς συμβεβηκόσιν εἰς παραμυθίαν ὧν πάσχομεν, ἐμοὶ μὲν οὐ συνδοκοῦν, χρῆσθε δὲ ὅ τι καὶ δοκεῖ· εἰ δ' ὅπως ἐπανορθωθήσεται δεῖ σκοπεῖν". **72.** οἷον ὡς ἐπ' ἐκείνου· τοῖς νοσοῦσι Σκύθαις συμβουλεύει τις μεθίστασθαι. ἢ πάλιν, κατατρεχομένης τῆς Χερρονήσου γράφει ὁ Δημοσθένης

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1 προσαπειλεῖ *B* | βασιλεύς post πηνειὸν *B* | ἐπαφήσειν *B* || 2 ἀπὸ Ba. ἐπὶ *AB* | ὡς ἐκεῖνο] οἷον *B* | ὁ om. *A* | σῖτον ἐκόμισε προῖκα *B* || 3 πεμφείς post κερσοβλέπτην *B* | κερσοβλέπτην] αὐτὸν Ha. || 4 del. Ha. qui etiam ἀπολογίας δὲ ὁπόταν τι coni. | ⟨ἄλλο⟩ ἐξ *B* | δέ] δή *B* | ἔτι] εἶτα καὶ *B* ἔτι καὶ Sp. || 5 ἁρμόζει *B* | μὲν om. *A* || 7 μετὰ . . . τις *A* ὁ μετὰ *B* || 8 add. Ba. | ⟨ἐπ⟩εξελθὼν *B* || 9 κατηγόρου *A*, sine term. *B* κατηγοροῦντος Ald. || 9 αὐτὸ τοῦτο cod. G et Ba. | συμπλέξομεν Ba. || 11 φιλοτιμεῖται *B* || 12 τι om. *B* || 13 αὐτῶν *A* | συμφέροντος ἕνεκα *B* || 14 συμφέρον om. *B* | πλέκειν *A* | γε om. *B* || 15 ἑώρα . . . ἑαυτοῦ *A* || 16 ἐπειδὴ *B* || 17 ἐξαιτοῦσιν *B* | οἱ om. *A* || 18 ⟨καὶ⟩ αὐτὸς *B* | ὅταν ⟨δὲ⟩ vel ἄλλο. ὅταν coni. Ha. || 19 τινὰ ἐπανόρθωσιν *B* | ⟨σοι⟩ τὸ *B* || 20 ἀνίστασθαι *B* | ἢ] καὶ *A* | ⟨τὸ⟩ ἀλγεῖν *B* | συμβαίνουσιν *A* || 21 χρῆσθαι *B* || 22 δ' ⟨οὖν⟩ *B* || 23 ὡς om. *B* || 24 καταρεχομένης . . . γράφει ὁ δημοσθένης] δημοσθένης γράφει σενεχῶς κατατρεχομένης *B*

from whom a king threatens to divert the course of the river Peneios.[44] **66.** And from profit, as in the following: Aeschines, when sent to Cersobleptes, brought home grain as a gift from Philip and is brought to trial. **67.** But whenever, although claiming to have done something well, we are still brought to trial, (the theorem) from barytes will be fitting as in this way: "I at least thought that I would even attain praise (for what I did)." **68.** Or in this way: "I would not have expected to meet with such an outcome." For example, after a victory someone will use this (theorem) when brought to trial, as in the following example: A general who had taken down part of the city wall and then gone out to battle was victorious and was brought to trial (for taking down the wall).[45] And we weave into this same (theorem) something from the prosecutor, saying "There is nothing more difficult (for judges to make a fair decision about) than when someone has done the greatest wrongs and still is honored for what he has done."

69. Another. In those themes for declamation in which we seem to show zeal on our own account and to bring some action for the sake of our private advantage, it is worth while to weave in the advantage to the city. If the person imagined to be speaking is a respected one, he will say that "If I had viewed the problem only on my own account, I would have been silent, but since it was also a matter affecting the city, (I spoke out)." **70.** For example in the following: The Lacedaimonians demand the surrender of Pericles in return for a promise of peace; he speaks against the demand. **71.** Whenever, at an awkward time, you initiate a civil action for rectification of some past wrongs, the theorem from an inappropriate proposition (*atopos protasis*) will be fitting; for example, "If grief and suffering at what has happened is adequate recompense for what we have experienced, although they do not seem so to me, do whatever seems best; but if there is need to consider how the situation can be rectified, (listen attentively to my plea)." **72.** For example, in the following: When the Scythians fall sick someone advises they should move.[46] Or again, When the Chersonese is overrun (by Philip), Demosthenes introduces a motion to dig a canal through the isthmus.[47]

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[44] Cf. Herodotus 7.130.
[45] Cf. anonymous *Problēmata* no. 61 in Walz VIII p. 412.
[46] Cf. above, 1.48 and 54; below 2.15; 3.18.
[47] Cf. above 1.44 and below 3.16.

διορύξαι τὸν Ἰσθμόν, ὁ δ' ἀντιλέγων τοῖς τοιούτοις πῇ μὲν συνδραμεῖται ἐν προοιμίοις, πῇ δ' οὔ· ὅτι μὲν γὰρ δεῖ ἐπανορθοῦσθαι τὰ
234 συμβαίνοντα καὶ αὐτὸς φήσει εἰδέναι, οὐ μὴν διὰ | τοῦ τρόπου οὗ
ὑφηγεῖται. **73.** ἢ ἐκεῖνο τὸ θεώρημα· "οὐκ ἔστι χαλεπώτερον οὐδὲν ἢ ὅταν τις παρίῃ μὲν ὡς ἐπανορθωσόμενός τι τῶν κοινῶν, χείρω δὲ τὰ κοινὰ ποιῇ".

74. Ἄλλο [τοῦτο σφοδρότερον]. ἐν ἐκείνοις τοῖς προβλήμασιν ἐν οἷς ἀτόπου τινὸς συμβαίνοντος εἰσηγούμεθά τι, ἁρμόσει τὸ ἐξ εὐχῆς θεώρημα, οἷον εἰ λέγοις, "ηὐξάμην ἂν μήτε τι τῶν τοιούτων γενέσθαι, μήτε ἐμὲ ἐπὶ τούτοις τοῖς προγεγενημένοις σύμβουλον παριέναι". **75.** ὡς ἐπ' ἐκείνου· μετὰ Χαιρώνειαν ἤδη γράφει Ὑπερείδης τοὺς ἀτίμους ἐντίμους ποιεῖν.

76. Ἐν ἐκείνοις τοῖς προβλήμασιν ἐν οἷς φαμὲν τοὺς θεοὺς προσημαίνειν τι, ἁρμόσει τὸ θεώρημα τὸ ἐξ ἐνδόξου κρίσεως, οἷον "ἱκανῶς μὲν καὶ πρὸ ἡμῶν τὸ ὅ τι χρὴ πράττειν οἱ κρείττους σύμβουλοι προὔφηναν". ὡς ἐπ' ἐκείνου· τοὺς ἀριστέας δεῖ μονομαχεῖν· δύο ἀδελφῶν μονομαχούντων ἔδυ ὁ ἥλιος, καὶ γράφει τις λῦσαι τὸν νόμον.

235 **77.** Ἄλλο. πότ' οὖν εὐχῇ χρηστέον; ὅταν ᾖ ἱερατικὸν | τὸ πρόσωπον
ὁ λέγων ἢ ὑπὲρ ἱερωσύνης ἢ ἡ πόλις ἱερά, οἷον ἡ Δελφῶν ἢ Δηλίων, ὥσπερ Ἀριστείδης ἐποίησεν ἐν προοιμίοις, ἢ περὶ πανηγύρεως θεοῦ ᾖ ὁ λόγος· οἷον ἐπιόντος πολέμου γράφει τις ἀναβάλλεσθαι τὰ Ὀλύμπια, ἀντιλέγει τις.

78. Ἄλλο. ὁπόταν δ' ἐν τῷ καλουμένῳ χρώματι μέλλῃς λέγειν, ὅτι καλῶς καὶ διὰ φιλανθρωπίαν ἢ δι' ἄλλην τινὰ καλὴν αἰτίαν

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1 τοῖς om. *B* | τούτοις *B* || 2 ⟨τῷ⟩ προοιμίῳ *B* || 3 φήσει] φη *A* | διὰ] δὲ τούτου *B* | οὗ] οὕτως *B* || 4 ἢ om. *B* || 5 μὲν ὡς] μόνος *B* || 7 ἀλλὰ *B* | del. Ha. | τούτου coni. Sp. τούτῳ coni. Ba. || 8 συμβάντος τινὸς τινὸς (sic) *B* | τὰ ἐξ ἀπευχῆς θεωρήματα *B* || 9.10 τι – γενέσθαι] τινα τούτων συμβῆναι *B* || 10 τούτοις om. *B* | ⟨ὡς⟩ σύμβουλον *B* || 11 ἤδη om. *B* | ὑπερείδης om. *B* Ὑπερείδης γράφει Ha. || 12 ἐντίμους] ἐπιτίμους *B* et D. | ⟨πείσας⟩ ποιεῖν *B* || 13 ἔφαμεν *B* || 14 τῷ θεωρήματι *B* τὰ θεωρήματα W. | τὸ² om. *B* || 15 ἡμῶν τὸ] τῶν ἡμετέρων λόγων *B* | χρὴ om. *B* || 16 ⟨οἷον⟩ ὡς *B* | ἔδει (ante τοὺς) *B* | διαμονομαχεῖν *B* || 17 ὁ ἥλιος ἔδυ *B* | λῦσαι] παῦσαι *B* λύσασθαι Hermog. || 18 πότ' οὖν Ba. ὁπόταν *A* ὅταν *B* τότ' ἄρ' Ha. (Ph.) | ᾖ – 19 ἱερά] ἱερατικὸν πρόσωπον ᾖ τὸ λέγον ἢ περὶ ἱερωσύνης ἢ ἐν πόλει ἱερᾷ *B* || 19 ὁ λέγων ἢ] ἢ ὁ λόγος coni. Sp. | πόλεως ἱερᾶς coni. Ha. (Ph.) | ἡ² om. *B* | ἢ³] ἡ *A* | ἢ Δηλίων deleverit Ha. (Ph.) || 20 ὥσπερ] ὥς που καὶ *B* | ἐποίῃ *B* | θεοῦ om. *B* || 21 ᾖ ὁ λόγος deleverit Ha. ὅλος ᾖ *B* | ἐπιόντος] ἐπείγοντος coni. Sp. | γράφει] ἔφη *A* || 22 ⟨καὶ⟩ ἀντιλέγει *B* || 23 ἄλλος *B* || 24 καὶ om. *B*

The opposing speaker, in his prooemia, will concur in part, in part not; for he will say it is necessary to rectify what has happened and he recognizes that, but not in the way which (Demosthenes) proposes. **73.** Or the following theorem: "There is nothing more difficult than when someone comes forward to rectify something affecting us all but makes the situation worse for everybody."

74. Another. In those themes for declamation in which we propose something when something unexpected has happened, the theorem from prayer (*eukhē*) will fit, if, for example, you were to say, "I would have prayed for nothing of this sort to happen and for me not to be an adviser for such things as have happened." **75.** As in the following: After Chaironeia, Hypereides immediately introduces a motion to make the dishonored honored.[48]

76. In those problems in which we say that the gods foretell something, the theorem from an honorable judgment (*endoxos krisis*) will be fitting; for example, "The better advisers made sufficiently clear what should be done even before we did." As in the following: (A law requires that) the most valorous should engage in single combat. When two brothers were engaging in single combat the sun set, and someone introduces a motion to revoke the law.[49]

77. Another. When, then, should one use a prayer? Whenever the imagined speaker is a priest, or is speaking about a priesthood, or when a sacred city is involved, for example, Delphi or Delos, as Aristeides did in prooemia (to encomia of those cities),[50] or when the speech is concerned with praise of a god. For example, during war time someone introduces a motion to omit the Olympic games, someone else opposes.

78. Another. Whenever you are going to speak in the form of what is called a *chrōma*,[51] (saying) that what you are on trial for doing was nobly

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[48] Cf. Demosthenes 26.11.

[49] Cf. Hermogenes, *On Staseis* pp. 73.18–74.1 ed Rabe; pseudo-Hermogenes, *On Invention* p. 98.19–20 ed. Rabe, and Sopatros in Walz VIII p. 320. Heath, p. 127, cites other similar themes.

[50] These speeches have not survived. Aelius Aristeides (A.D. 117–189) is the only orator of the Roman period cited by Apsines and other sophists on a par with the Attic Orators of the fourth century B.C.

[51] The "color" given to a passage, often an interpretation of intent; cf. below, 5.11, and Seneca, *Controversiae* 1.1.16ff. For "color" as a stylistic term, cf. Dionysius of Halicarnassus, *Second Letter to Ammaeus* 2 ad fin; Hermogenes, *On Types of Style* p. 296,20 ed. Rabe = Wooten p. 54.

ἐποίησας τοῦτο ἐφ' ᾧ κρίνῃ, ἁρμόσει σοι τὸ ἐκ βαρύτητος θεώρημα ἐξ ἀπολογίας, οἷον εἰ λέγοις· "ᾤμην μὲν ἔγωγε τοὐναντίον δόξαν χρηστὴν καὶ καλὴν ἀποίσεσθαι ἐφ' οἷς ἔδρασα", ὡς ἐπὶ τοῦ θάπτοντος τὸ νεοσφαγὲς σῶμα.

79. Ἄλλο. ἐν πᾶσι τοῖς ἀντεγκληματικοῖς ἁρμόσει σοι τὸ ἐκ βαρύτητος θεώρημα ἐξ ἀπολογίας, οἷον εἰ λέγοις· "ᾤμην μὲν ἔγωγε καὶ τοὺς συναχθεσθησομένους ἐμοὶ γεγενῆσθαι καὶ οἴκτου πλέον ἢ ὀργῆς ἀξιώσεσθαι". οἷον ὡς ἐπ' ἐκείνου· ἀριστεὺς πορνεύοντα τὸν υἱὸν ἀνεῖλε καὶ κρίνεται.

80. Ἄλλο. ἐν ταῖς συνηγορίαις ἄξιον ὁρᾶν ὑπὲρ ὧν λέγομεν, οἷον ἢ ὑπὲρ συγγενῶν, ὡς ὁ Λυσίας πολλαχοῦ· "οἰκειότατον ἐμαυτῷ νομίζω βοηθεῖν". ἢ ὑπὲρ φίλων, ὡς ἐν τῷ Ἀμαρτύρῳ Ἰσοκράτης. **81.** ἐν δὲ
236 ταῖς τῶν ἀλλοτρίων προσώπων συνηγορίαις σκοπεῖν χρὴ | εἰ ἔνδοξα ἢ ἄδοξα, καὶ εἰ μὲν ἔνδοξα εἴη, συντρέχειν τῷ καὶ ὑπὲρ τούτων σπουδάζειν· εἰ δ' ἄδοξα, συμπλέκειν αὐτὰ τοῖς ἐνδόξοις. **82.** ὅταν ἄδοξον ᾖ τὸ ὑποκείμενον πρόσωπον ἢ τὸ ἀντιλέγον, τὸ ἐκ ποιότητος καταφορικὸν ἁρμόσει σοι, οἷον "οὐκ ἦν αὐτάρκη τούτῳ τὰ πρότερον τετολμημένα" ἢ οὕτως, "εἴη μὲν ἂν ἕν τι καὶ τοῦτο τῆς τούτου πονηρίας" ἢ οὕτω· "θαυμαστὸν μὲν οὐδὲν τὸ τοιοῦτον ὄντα τοιαῦτα τετολμηκέναι". **83.** ἐν δὲ ταῖς ἀμφισβητήσεσι καὶ τοῖς ἀμφισβητηματικοῖς δεῖ ὁρᾶν τὰ διάφορα, οἷον εἰ πράγματι ἢ καιρῷ ἢ προσώπῳ ἢ τρόπῳ διαλλάττοι καὶ ἐκ τούτου λαμβάνειν τὰ προοίμια. **84.** ἐὰν δέ ποτε ἀναγκασθῇς κοινὸν προοίμιον εἰπεῖν, τὴν κατασκευὴν αὐτῷ ἰδίαν πρόσαγε, οἷον "περὶ μεγάλων ἥκομεν". [καὶ ἡ κατασκευὴ ἰδία προσετέθη ὡς ἐν τῷ περὶ εἰρήνης Ἰσοκράτους· ὅπου γάρ, "περὶ πολέμου καὶ εἰρήνης μεγάλα".] κάλλιστον δὲ καὶ ἐν τούτοις τὸ τῆς μεθόδου, εἰ μεθοδεύοιμεν αὐτὰ ἐπισημαινόμενοι, εἰ καὶ πᾶσιν εἰωθὼς ὁ λόγος εἴη.

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2 ἐξ ἀπολογίας om. *B* | ⟨αὐτὸ⟩ τοὐναντίον *B* || 3 ἐφ' – ἔδρασα] ἀφ' ὧν ἔπραξα *B* | ⟨οἷον⟩ ὡς *B* || 5 ἄλλος *B* || 6 ἐξ *A* ⟨τὸ⟩ ἐξ *B* | μὲν om. *A* || 7 ἐμοὶ] ἐμαυτῷ *B* | γενήσεσθαι Fi. || 8 οἷον om. *B* || 9 ἀνελῶν *B* | καὶ om. *B* || 10 ἄλλος *B* | οἷον ⟨οἰκείων⟩ *B* || 11 ὑπὲρ om. *B* | νομίζων *A* || 12 φίλου *B* || 13 εἰ om. *A* | ⟨εἴη⟩ ἢ *B* || 18 ἢ] καὶ *B* | ἕν om. *B* || 21 προσώποις *A* || 22 διαλλάττει *A* || 23 αὐτῷ *B* Arg. Isoc. αὐτοῦ *A* || 24 οἷον – 25 εἰρήνης] ὡς ἐν τῷδε τῷ περὶ εἰρήνης Ἰσοκράτους ἡ κατασκενὴ ἰδία προσετέθη, ὅπου φησί, "περὶ μεγάλων ἥκομεν· περὶ γὰρ πολέμου καὶ εἰρήνης." Volkmann (Rhet. 1885, 145, n. 1) ex Arg. Isoc. || 24–26 del. Ha. (Ph.) || 26 μεγάλα om. *B* et Arg. Isoc.

done and out of compassion or for some other noble cause, the theorem from barytes[52] will be fitting for you to use in defense; for example, if you should say, "I at least thought the opposite, that I would come away with a worthy and noble reputation for what I did," as in the case of one burying a newly killed corpse.[53]

79. Another. In all cases involving a counter-accusation (*antengklēma*) the theorem from barytes will be fitting for you to use when you speak as defendant; for example, if you should say, "I at least thought that even those who were going to be caused trouble along with me would be thought more worthy of pity than of anger." For example in the following: A hero has disowned his son for prostitution and is brought to trial.[54]

80. Another. In speeches as an advocate for someone (*synēgoriai*) it is worthwhile to see for whom we are speaking; for example, either for relatives—as often in speeches of Lysias: "I think it is most proper for me to come to his aid"[55]—or for friends, as in Isocrates' *Plea without Witnesses*.[56] **81.** In advocacy of persons not connected with you it is necessary to consider whether they are honorable or dishonorable, and if honorable, to proceed along the lines of showing enthusiasm for these persons as well. But if dishonorable, to connect them with those who are honorable. **82.** Whenever the character of the person under discussion or the opponent is dishonorable, denunciation based on quality will be fitting for you to use; for example, "His previous rash deeds were not enough for this man," or else, "This too would be an example of the wickedness of this man," or else, "To have dared to do such things is no surprise in the case of such a man." **83.** In disputes about the facts (*amphisbētēseis*) and in cases of disputed identity (*amphisbētēmata*) there is need to look at the differences—for example, if (the accused) differs (from the perpetrator) in action or opportunity or personal appearance or way of life—and to take your prooemia from this difference. **84.** But if you are ever forced to use a prooemion from the common store,[57] add some treatment of your own to it, such as "We have come about great matters."[58] What is most beautiful also in these (adaptations of commonplace prooemia) is if we put our own artistic mark on them, even if what is said is familiar to everybody.

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[52] Speaking in an offended tone; cf. above, 1.16.

[53] Cf. Hermogenes, *On Stases* p. 49.16–19 ed. Rabe.

[54] Cf. Hermogenes, *On Stases* p. 72.14–16 ed. Rabe.

[55] The closest parallel in extant speeches of Lysias is Or. 32.1, where a brother-in-law speaks on behalf of a widow and her children.

[56] Isocrates 21.

[57] Because none of the special theorems are appropriate. A collection of 56 prooemia for deliberative speeches is preserved with the works of Demosthenes.

[58] Cf. Isocrates, 8.2: "For we are about to hold an assembly concerning war and peace, which exercise the greatest power in the life of men. . . ." The passage in brackets seems to be a scribal addition to Apsines' text: "And the following special treatment is added in Isocrates' *On Peace*; for 'great matters concerning war and peace' is there." This section is repeated in the argumentum prefixed to Isocrates 8.

85. Ἐν τοῖς ἐσχηματισμένοις εἰ μὲν ἄλλου προειρηκότος αὐτὸς μετ' ἐκεῖνον λέγοις, ἁρμόσει σοι τὸ ἐξ ὑποθέσεως προοίμιον, οἷον "ἔδει μὲν τὸν προειρηκότα καὶ ταῦτα προσθεῖναι· καὶ γὰρ ἦν ἑπόμενα τούτοις", οἷον ὁ Περικλῆς ἔγραψε τὴν Ἀττικὴν δῃοῦν, καὶ γράφει | Νικίας ἀπὸ τῆς Ἐλευσῖνος ἄρξασθαι. ἐν δὲ τοῖς τοιούτοις ἐκεῖνο *237* αὐτό, ὃ βούλει ἀνύσαι, ὡς ἀναιρῶν εἴσαγε· "οὐχ ὅτι ἂν ἄλλος ἐποίησε, τοῦτο ἐγὼ ποιήσων ἀφῖγμαι".

86. Ἔστι καὶ τοιοῦτο γένος προβλημάτων ἐν οἷς δοκῶν τις εὖ ποιεῖν ὑπόνοιαν ἔχει ὡς μετὰ ἐπιβουλῆς αὐτὸ ποιῶν, ὡς ἐπ' ἐκείνου τοῦ ζητήματος· ἐν τῷ Πελοποννησιακῷ πολέμῳ ἔπεμψαν Λακεδαιμόνιοι καὶ Ἀθηναῖοι παρὰ βασιλέα περὶ χρημάτων. ἔδωκεν ἑκατέροις· ἐπανελθόντων αὐτῶν ἀξιοῖ τις ἐν τοῖς Ἕλλησιν ἐπὶ βασιλέα στρατεύειν. ἐν τοῖς τοιούτοις οὖν ἁρμόσει σοι τὸ ἐξ οἰκείας κρίσεως θεώρημα· "ἐβουλόμην, ὦ δικασταί, τοῦτον ὡς ἀληθῶς κήδεσθαι τῶν ἡμετέρων πραγμάτων, καθάπερ φάσκει· νῦν δὲ τοὐναντίον φαίνεται πράττων, καὶ δόξαν παρέχων ὡς εὖ ποιῶν ἡμᾶς οὐκ ἐλαχίστην βλάβην κατασκευάζει τοῖς κοινοῖς, ὡς μικρὸν ὕστερον, εἰ προσέχοιτε, δείξω".

87. Ἄλλο. ἐν ταῖς προσαγγελίαις ἁρμόσει σοι ἐκεῖνο τὸ θεώρημα ὅταν ὃ βούλει ὡς ἀναιρῶν τιθῇς, οἷον ὡς ἐπ' ἐκείνης τῆς ὑποθέσεως· Εὔπολις ἁλοὺς ξενίας δημοσίᾳ ἐπράθη· πριάμενος αὐτὸν ὁ Λύκων ἐγχειρίζει τὸν παῖδα, ὁ δ' ἑαυτὸν προσαγγέλλει. ἐν γὰρ τοῖς τοιούτοις τῷ θεωρήματι τούτῳ χρηστέον ᾧ προειρήκαμεν, οὕτω λέγοντα· *238* "οὔτε ἐλευθερίαν ἐμαυτῷ πράξων | οὔθ' ὅπως ἂν ἀπαλλαγείην τῆς παρούσης ταύτης δουλείας, ὥς τις ἴσως τῶν ἀκουόντων ὑμῶν ὑπολαμβάνει, παρελήλυθα, ἀλλὰ θανάτου δεόμενος".

88. Ἐν πάσῃ παραγραφῇ ἐκ μὲν τοῦ παραγραφομένου ἁρμόσει σοι ἡ τοῦ ἀντιπίπτοντος λύσις· τὸ δ' ἀντιπῖπτον ἐστὶ τὸ μὴ θαρρεῖν τῇ

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3 ταὐτὰ *B* | προσθῆναι *B* ‖ 4 τούτοις] αὐτοῦ τοῖς λόγοις *B* | ⟨ὡς ἐπ' ἐκείνου⟩ οἷον *B* | δῃοῦν τὴν ἀττικήν *B* hic et infra 120.18–19 | καὶ om. *A* ‖ 5 ἄρχεσθαι *B* hic et infra 120.19 ‖ 6 ἂν] δὴ *B* ‖ 7 ἔγωγε *B* ‖ 9 παρέχει coni. Ha. (76) ‖ 11 παρὰ] πρὸς *B* | περὶ χρημάτων] αἰτοῦντες χρήματα *B* ‖ 13 σοι om. *B* | ἐξ] ἀπὸ *B* | τὰ . . . 14 θεωρήματα *B* ‖ 14 ὦ δικασταί] ἂν *B* ‖ 16 καὶ om. *B* | παρέχων] γὰρ ἔχων *B* ‖ 17 τοῖς κοινοῖς ἀποσκευάζει *B* ‖ 18 ἄλλος *B* ‖ 19 ὃ om. *B* | τίθῃς *A*, corr. Ba. τιθεῖς *B* ‖ 20 ξενίας ἁλοὺς ἐπράθη δημοσίᾳ *B* ‖ 22 τούτῳ . . . ᾧ] οὕτω . . . ὡς *B* ‖ 23 οὔτε Ald. οὐκ *A* ὡς *B* | πράττων ἐμαυτῷ *B* | ⟨τῆς παλλαγείην⟩ τῆς *A* ‖ 24 ἀκουσάντων *B*

85. In figured problems,[59] if, when another has spoken, you yourself speak after him, a prooemion taken from the hypothesis will be fitting for you; for example, "The previous speaker should have added these points also; for they follow on what he said," as when Pericles introduced a motion to lay waste Attica and Nicias proposed to begin from Eleusis.[60] In such cases, bring in that which you wish to accomplish as though refuting it: (for example), "I have not come to do what another would have done."[61]

86. There is a kind of theme for declamation in which someone seeming to do good has awakened the suspicion that he is doing it with crafty intent, as in the following question: During the Peloponnesian war Lacedaimonians and Athenians sent (envoys) to the king of Persia to seek money. He gave money to both. After they came home, someone among the Greeks thinks a military campaign should be undertaken against the king. In such cases the theorem from one's own judgment (*oikeia krisis*) will be fitting: "I wanted, judges, for him (i.e., the king) truly to care about our affairs, as he claims; but now he seems to be doing the opposite, and while getting the reputation for doing us good he is preparing not the least harm for us all, as I shall show a little later if you pay attention."[62]

87. Another. In cases of self-denunciation (*prosangelia*)[63] the following theorem will be fitting whenever you propose what you want as a way of confuting the charge; for example, in the following hypothesis: When Eupolis accepted favors from foreigners he was sold into slavery by the state. Lycon bought him and lays hands on his son. Eupolis brings a charge against himself. In such cases one should use this theorem which we have just described, speaking as follows: "I have not come forward to get freedom for myself nor that I might be freed from my present state of slavery, as some of you hearers probably suppose, but (I come as one) needing death."

88. In all actions for procedural exception (*paragraphē*) a refutation of the objection drawn from what is claimed to violate the law will be fitting for

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[59] Cf. above, note on 1.16.
[60] Cf. below, 2.18.
[61] I.e., another might have attacked Pericles' motion; I do not (but really you do).
[62] The argument would be that the king is seeking to encourage the Greeks to fight among themselves and thus to weaken them.
[63] On self-denunciation (*prosangelia*), see below, note on 10.35.

εὐθυδικίᾳ καὶ διὰ τοῦτο ἐπὶ τὴν παραγραφὴν βαδίζειν. τοῦτο οὖν εὐθὺς ἐν ἀρχῇ ἀναιρήσεις λέγων οὕτως· "ὅσον μὲν ἐν αὐτοῖς τοῖς πράγμασι καὶ τῷ τεθαρρηκέναι τούτοις οὐδὲν [ἣ] ἐδεήθην παραγραφῆς, οὕτω καὶ χωρὶς ταύτης θαρρῶν τοῖς δικαίοις εἰς ὑμᾶς ἐλήλυθα. ἐπειδὴ δὲ καὶ τοῦτο οἱ νόμοι τοῖς ἀγωνιζομένοις παρεσχήκασιν, ᾠήθην καλῶς ἔχειν ἐμαυτῷ μὴ παρεῖναι τὸ δίκαιον ὅπερ ἡμῖν δεδώκασιν οἱ νόμοι". **89.** ἐν τοῖς παραγραφικοῖς ἁρμόττει ἔννοια προοιμιακὴ κἀκείνη ἐπὶ τοῦ ἀπολογουμένου εἰπεῖν· "πολλῶν ὄντων, ὦ δικασταί, τῶν περὶ τοῦτον τὸν ἀγῶνα γεγενημένων ὑπὸ τοῦ κατηγόρου, ἅ τις ἂν εἰκότως θαυμάσειεν, οὐδενὸς ἧττον, εἰ καὶ μὴ παντὸς μᾶλλον, τοῦτό μοι δοκεῖ δικαίως ἄν τις αὐτοῦ θαυμάσαι τὸ πρὸ *239* τῆς ψήφου τῶν δικαζόν | των ἀτιμίαν ἡμῖν προστιμᾶν· τὸ γὰρ ὅπως μὴ μεθέξομεν λόγου σπουδάζειν, τί πότ' ἐστὶν ἄλλο πράττοντος ἢ προστιμῶντος ἡμῖν ἀτιμίαν σαφῆ;".

90. Ἔστι καὶ τοιοῦτο γένος προβλημάτων ἐν οἷς πρότερόν τις κακῶς πεποιηκώς, μετὰ ταῦτα ἐλπίζων ὑπ' αὐτῶν τῶν ἠδικημένων κακῶς πείσεσθαι, αὐτὸς ταῦτα ἃ ἀφῄρηται δώσειν ὑπισχνεῖται, οἷον ὡς ἐπ' ἐκείνου· νοσοῦντι τῷ Φιλίππῳ ἔχρησεν ὁ θεὸς μὴ ἄλλως λήξειν τῆς νόσου, εἰ μὴ ὑπὲρ αὐτοῦ εὔξαιντο Ἀθηναῖοι· ἀπέσταλκεν Ἀμφίπολιν διδούς, καὶ βουλεύονται. **91.** καὶ ἐπ' ἐκείνου ὁμοίως· ἐψηφίσαντο οἱ Ἕλληνες πόλεμον κατὰ Φιλίππου· πέπομφεν ἀνοικιεῖν τὰς πόλεις ὑπισχνούμενος, καὶ βουλεύονται. ἐν γὰρ τοῖς τοιούτοις ἅπασι ἁρμόσει τὸ προκαταρκτικὸν ἐνθύμημα ἐκεῖνο· "εἰ καὶ πάνυ πολὺν ἐπέσχε χρόνον ὁ Φίλιππος, ζητῶν ὅπως ἂν τἀναντία τούτοις οἷς προῄρηται πράξειεν, οὐκ ἂν ἑτέρως μοι δοκεῖ τοῦτο ποιῆσαι ἢ τοῦτον

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1 καὶ διὰ om. *B* | γραφὴν *A* ‖ 2 ἐν² – 5 ἐλήλυθα praeb. post 6 παρεῖναι *B* | ἐν²] ἐπ' Ba. τὸ δὲ ἐπ' *B* ‖ 3 del. Ba. om. *B* | ἐδεήθην] ἐδήθη μὲν *A* ‖ 4 οὕτω] ἀλλὰ Ba. ‖ 5 ἐλήλυθα] εἰσῆλθον ἄν Ba. | ἐπειδὴ – τοῦτο praeb. ante 6 δίκαιον *B* ‖ 6 ἐμαυτῷ] εἰ μὴ αὐτῷ *B* | παριέναι Ba. | τὸ om. *B* ‖ 7 ὑμῖν *B* | οἱ νόμοι δεδώκασιν *B* | ⟨ὁμοίως⟩ ἁρμόττει *B* ‖ 8 ἐπὶ – εἰπεῖν om. *B* ‖ 9 περὶ] ὑπὸ *A* | τουτονὶ *B* | τοῦ om. *B* ‖ 12 τῆς del. Sp. om. *B* | ⟨τῆς⟩ τῶν *B* | δικαστῶν *B* | ἀτιμίας *AB*, corr. Fi. | προτιμᾶν *A* ‖ 13 μεθέξωμεν *B* ‖ 14 προτιμῶντος *A* ‖ 15 προβλημάτων] ζητήματος *B* | πρότερός *B* ‖ 17 ⟨ἢ⟩ αὐτὸς *B* αὐτοῖς Ba. | ἀφῄρηνται Ba. ‖ 18 λῆξαι *A*, corr. Ha. ἀπαλλαγήσεσθαι *B* ‖ 19 εὔξαιντο ὑπὲρ αὐτοῦ *B* | ἐπέσταλκεν Ba. ‖ 21 πολεμεῖν φιλίππῳ *B* πολεμεῖν κατὰ Φίλιππον Sp. | ἀνοικίζειν *A* ‖ 23 ἁρμόσει om. *B* | ἐνθύμημα om. *B* | ἐκεῖνο om. *A* ‖ 24 ζητῶν] εἰπὼν *A* ‖ 25 προείρηται *B*

you to use. The objection (you can say) is equivalent to not trusting the results of a trial and for that reason (your opponent) turns to a suit for illegal action. You will take this up right away in the beginning of your speech, speaking as follows: "Since my trust in the facts in this case was so great, I had no need of bringing an illegal suit; thus I have come before you trusting in what was just and without recourse to any illegality. But since the laws have provided contestants with this (right to challenge a suit as illegal), I thought it good that the justice which the laws have given us was not provided to me."[64] **89.** In actions for illegal suit it is also fitting for the defendant to speak the following introductory thought: "Although there are many things, gentlemen of the jury, that have been done by the plaintiff in this case which one probably would wonder at, not the least and perhaps most of all it seems to me that one might justly wonder at his according dishonor to you in advance of the vote of those who were giving judgment (in the original case); for to be anxious that we shall not have an opportunity for speech, whatever is this other than the action of one who clearly accords dishonor to you?"[65]

90. There is also a certain kind of theme for declamation in which, when someone has previously done harm, after this, expecting that he will himself suffer at the hands of those who have been wronged, he promises to give back what he has taken away; for example in the following: The god prophecied to Philip when he was sick that he would not recover from the disease unless the Athenians prayed for him; he has sent a message giving up Amphipolis, and they take counsel among themselves. **91.** And similarly in the following: The Greeks voted for war against Philip; he has sent word promising to resettle the cities (that he has destroyed), and they take counsel among themselves. In all such cases the following prefatory enthymeme will fit: "Even if Philip held out completely for a long time, seeking the opposite of what he has chosen to do, it does not seem to me that he

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[64] That is, since it is an established legal procedure to charge that a suit is illegal, the speaker accepts the right of the opponent to prevent the original case from coming to trial and welcomes an opportunity to justify himself in the present trial. On *paragraphē* see below, 10.96.

[65] For other declamations involving illegal suit (*paragraphē*), cf. Sopatros in Walz VIII pp. 270–86. Cf. also Anonymous Seguerianus §§134–35.

τὸν τρόπον, ὃν νυνὶ πεποιηκὼς φαίνεται· τὸ γὰρ ὧν ἐποίησε πρότερον ὑπομιμνῄσκειν ταῦτα ἐπεσταλκότα, πῶς οὐχ ὅπερ εἴρηκα πράττοντός ἐστι;".

92. Ἄλλο. ἐπειδὴ τοίνυν εἰρήκαμεν τί δεῖ ποιεῖν ἐν ταῖς παραγραφαῖς τὸν παραγραφόμενον, φέρε σκεψώ | μεθα τί προσήκει καὶ τὸν 240 ἀντιλέγοντα πράττειν. ὁ τοίνυν ἀντιλέγων τῇ παραγραφῇ αὐτὸ τοῦτο τὸ θεώρημα ἀναστρέψας ἐρεῖ οὕτως· "ἦν μὲν οὐκ ἄδηλον τοῦτο, ὦ δικασταί, ὅτι τὸν λόγον παρεὶς τὸν περὶ τῶν ἐγκλημάτων, ὧν ἡμεῖς ἐγκαλοῦμεν, διὰ τὸ μὴ θαρρεῖν τοῖς δικαίοις προφάσεις τινὰς εὑρήσει καὶ διαδύσεις, δι' ὧν ἑαυτῷ τὸ μὴ δοῦναι δίκην ποριεῖται· ἐγὼ δ' ἡγοῦμαι προσήκειν ὑμῖν τοῦ τε ὅρκου ὃν ὀμωμοκότες κάθησθε φροντίζουσι καὶ τοῦ δικαίαν ἐνεγκεῖν περὶ ὧν κρίνετε τὴν ψῆφον τούτοις μὲν μὴ προσέχειν, τῶν δὲ περὶ ὧν ἡμεῖς ἐγκαλοῦντες ἥκομεν ἀπαιτεῖν λόγον".

93. Ἄλλο. ἐν πᾶσι δὲ τοῖς ἀντιπίπτουσιν ἐξ ἐννοίας προοιμιακῆς ὅπου σὺ τὸ ἀντιπῖπτον λύσεις, ὁ ἐναντίος αὐτὸ θήσει. πολλῶν δ' ὄντων τῶν ἐξ ἐννοίας ἀντιπιπτόντων, ὡς μικρῷ πρόσθεν εἰρήκαμεν, ἓν ἑλώμεθα παραδείγματος ἕνεκα, οἷον δοκεῖς διὰ φθόνον λέγειν, τῷ δ' ἐναντίῳ ἁρμόσει αὐτῷ τούτῳ χρήσασθαι ἀναστρέφοντι καὶ λέγοντι· "οὐκ ἦν ἄδηλον, ὦ δικασταί, τοῦτο ὅτι φθόνῳ καὶ βασκανίᾳ τὴν γραφὴν ταύτην καὶ τὴν κατηγορίαν συνθεὶς οὗτος εἰς ὑμᾶς εἰσελήλυθεν".

94. Ἄλλο. ἐν πᾶσι τοῖς ζητήμασιν ἐν οἷς καὶ αὐτὸς ὁ κατηγορῶν φανερῶς καὶ μέγα τι ἠδίκηται, τῷ κατὰ συνδρομὴν χρήσεται προοιμίῳ οὕτως· "οἱ μὲν ἄλλοι | πάντες οἱ παριόντες εἰς ὑμᾶς, ἐπειδάν τινος 241 κατηγορεῖν μέλλωσι, τοῦτο αὑτοῖς ὑπάρχειν ἀξιοῦσι παρ' ὑμῶν, τὸ μὴ δι' ἔχθραν δοκεῖν κατηγορεῖν· ἐγὼ δ' οὐ τοῦτο ἂν ἀρνηθείην·

1 πεποίηκε *B* || 2 ἀναμιμνῄσκειν *B* | ἀπεσταλκότα *B* || 4 δεῖ] χρὴ *B* || 7.8 ὦ δικασταί, τοῦτο *B* || 8 παρεὶς] παριστῶν *A* | τὸν² om. *A* | 8.9 ⟨νῦν⟩ ἡμεῖς ἐγκαλοῦντες ⟨ἥκομεν⟩ *B* || 9 ἐυρήσει *B* || 10 διαλύσεις *A*, corr. Ba. διαδράσει *B* | πορieῖται] ποιεῖται *A* || 10.11 ἐγὼ – ἡγοῦμαι] ἦν διαγοῦμαι *B* || 11 τε om. *A* || 12 τὴν ψῆφον ante περὶ *B* || 13 μὲν] δὲ *A* | τῶν W. τὸν *AB* | ἐγκαλοῦντες ἥκομεν] ἐγκαλοῦμεν *B* || 14 ⟨τὸν⟩ λόγον *B* || 18 ἕκεκεν *B* | δοκεῖ *B* || 19 ἀναστρέψαντι *A* | καὶ] ὡδὶ *B* οὕτως λέγειν Ba. || 20 ἦν] ἔστιν *B* | ἄδηλον om. *A* || 24 χρῆσθαι *A* || 25 μὲν ⟨οὖν⟩ *B* || 26 μέλλουσι *B* | αὐτοῖς *AB*, corr. Ba. | ὑμῖν *B* || 27 οὐ om. *B* || ἂν om. *A*

would act other than in this way which he now seems to have done; for how is his reminding (you) of what he did earlier by sending this response not typical of one who does what I have said?"

92. Another. Since we have said what should be done in actions for procedural exception by the one charged with illegality, come, let us consider also what is appropriate for the opponent to do. Now the opponent in an action for procedural exception will speak as follows, reversing this same theorem: "This was not unclear, gentlemen of the jury, that omitting a speech about the charges of illegality which we have made, based on a claim that I lack confidence in justice, he will find some excuses and evasions by which he will get the advantage to himself of avoiding conviction, but I think it is appropriate for you, considering the oath which you swore when you took your seats and the need to render justice in the matters you judge, not to give your vote to my opponents but to demand an account about the matters that we have come to complain of."

93. Another. In all adverse circumstances derived from an introductory thought, where you resolve the difficulty, the opponent will posit it. Since there are many difficulties from an (introductory) thought, as we said a little earlier,[66] let us choose one for the sake of an example: when you seem to speak out of ill will, it will be fitting for the opponent to make use of this, turning it back on you and saying, "This was not unclear, gentlemen of the jury, that this person has come before you concocting this indictment and accusation out of ill will and envy."

94. Another. In all questions in which the accuser himself has clearly been wronged and in some great way, one will use a prooemion of preliminary concession (*kata syndromē*) in the following way: "All others who come before you, whenever they are going to prosecute someone, think it right for you to regard them as not appearing to make an accusation out of personal enmity, and I would not reject (this feeling); for I would be mad

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[66] Cf. above, 1.42–54.

καὶ γὰρ ἂν μαινοίμην, εἰ μὴ φαινοίμην μισῶν τὸν τηλικαῦτα ἡμᾶς ἠδικηκότα". **95.** καὶ ἔστω παράδειγμα ἐκεῖνο τὸ ζήτημα· ἐκ τοῦ αὐτοῦ γένους πολλοὶ τυραννοῦσι καὶ ἀξιοῖ τις ἐλαύνεσθαι τὸ γένος. καὶ ἐπ' ἐκείνου· λῃσταί τινες ἀφήρπασαν παῖδα πένητος δημαγωγοῦ· ἀπέστειλαν ἐπὶ τοὺς λῃστὰς πλούσιον διάφορον τῷ πένητι· ὁ δὲ τὸν παῖδα τῶν λῃστῶν ἐκβαλόντων οὐκ ἀνείλετο, ἀλλὰ περὶ τὴν σύλληψιν ἔσχετο τοῦ πλοῦ· καὶ ἐπανελθὼν δημοσίᾳ κρίνεται.

97. Ἐν πᾶσι τοῖς ζητήμασιν ἐν οἷς στρατηγὸς ἠδίκηται, εἶτα ἰδιωτικὴν ἀπενήνεκται γραφήν, ἁρμόσει σοι τὸ προοίμιον ἐκεῖνο· "ἐβουλευσάμην μὲν οὖν ὡς καὶ δημοσίᾳ καὶ κοινῇ τὴν πόλιν ἠδικηκότα τοῦτον εἰς ὑμᾶς εἰσφέρειν· τὸ γὰρ τοὺς στρατηγεῖν ὑφ' ὑμῶν κεχειροτονημένους πάσχειν ὑπὸ τούτου κακῶς τῆς πόλεως, οὐκ ἴδιον τοῦ στρατηγοῦ [τὸ] ἀδίκημα νομίζω καθεστηκέναι· οὐ μὴν ἀλλὰ καὶ *242* νῦν προσδοκῶν ὑμᾶς ὁμοίως | ἀγανακτήσειν, ὡς ἂν εἰ καὶ δημοσίᾳ κατηγόρουν, τὴν παροῦσαν ταύτην γραφὴν ἀπηνεγκάμην". **98.** ἔστω παράδειγμα ἐκεῖνο τὸ ζήτημα· ἐγέλασεν Ἀλκιβιάδης ὑπισχνουμένου Κλέωνος τὰ περὶ Πύλον καὶ ἐπανελθὼν ὕβρεως αὐτῷ δικάζεται. **99.** καὶ ἐπ' ἐκείνου· ὁ Ἀλκιβιάδης ἐκώμασεν ἐπὶ τὸ δεσμωτήριον ἰόντων τῶν τριακοσίων καὶ ἔφη, "γενναῖοι" καὶ "ὑπὸ Κλέωνος", καὶ δικάζεται αὐτῷ ὁ Κλέων ὕβρεως. **100.** καὶ ἐπ' ἐκείνου· νύκτωρ μὴ ἀνοίγεσθαι τὰς πύλας· οὐκ ἀνέῳξε Κλέωνι ⟨ὁ⟩ Νικίας εἴσω τῆς προθεσμίας ἄγοντι τοὺς τριακοσίους καὶ δικάζεται αὐτῷ ὕβρεως.

1.2 ἡμᾶς ἠδίκοτα] κακῶς ὑμᾶς πεποιηκότα *B* ‖ 2 τὸ ζήτημα ἐκεῖνο *B* ‖ 3 ἐλαύνειν *B* ‖ 4 τινες om. *B* ‖ 5 ἀπέστειλεν *A* | τὸν] τὴν *B* ‖ 6 ἐκβαλλόντων *B* | τὴν del. Sp. ‖ 7 ἔσχε *AB*, corr. Ba. | ⟨τὴν⟩ τοῦ *B* | πλοῦ Benardete πλοίου *AB* | καὶ om. *B* | κρίνεται ⟨ἀσεβείας⟩ coni. Sp. ‖ 9 σοι om. *B* ‖ 10 οὖν om. *B* ‖ 11 ἡμῶν *AB*, corr. Fi. ‖ 12 τούτου] του Ba. ‖ 12.13 τοῦ στρατηγοῦ del. Ha. (76) | del. Ba. | νομίζω ante 12 τοῦ *B* ‖ 14 προσδοκῶ ὁμοίως ὑμᾶς *B* ‖ 15 κατηγορῶν *A* | ⟨καὶ⟩ ἔστω coni. Ha. coll. supra 2 ‖ 16 τὸ ζήτημα ἐκεῖνο *B* | ⟨ὁ⟩ Ἀλκιβιάδης Ha. | ὑπισχνουμένου] ἐπαγγειλαμένου Soptr. ‖ 17 ⟨τοῦ⟩ κλέωνος *B* Κλέωνος post Πύλον Soptr. | καὶ *A* et Soptr. om. *B* | ὕβρεως – δικάζεται] κρίνει αὐτὸν βλάβης Soptr. ‖ 19 ὄντων *B*, corr. Ba. om. *A* | τῶν om. *B* | post Κλέωνος lac. coni. W. ‖ 20 δικάζεται – ὕβρεως] κρίνεται ὑπὸ Κλέωνος ὕβρεως Fi. | ὁ κλέων om. *B* | ⟨νόμου ὄντος⟩ νύκτωρ Ba. ‖ 21 add. Ba. | νικίας post 22 τριακοσίους *B* ‖ 22 αὐτῷ om. *B*

if I did not appear to hate one who has so wronged you." **95.** And let the following question be an example: Many members of the same family play the tyrant and someone thinks it right to exile the family. **96.** Also in the following: Some pirates stole the son of a poor popular leader; (the people) sent money to the pirates beyond what the poor man could pay. When the pirates threw the (body of the) son overboard, (the father) did not rescue it but held his course for the boat. And after he came home he is brought to a public trial.[67]

97. In all questions in which a general has been wronged, then has brought a private suit, the following prooemion will be fitting for you: "I planned to bring this man before you for having harmed the city both publicly and generally, for I thought it was a harm to the city, not a private wrong of a general, when those elected general by you suffered at the hands of this man. But although I still expect you to be distressed in the same way as you would be if I brought a charge in the public name, I have entered this present (private) indictment."[68] **98.** Let the following question be an example: Alcibiades broke into laughter when Cleon made his promise about Pylos,[69] and when he came back (Cleon) brings a charge of hybris against him. **99.** And in the following: Alcibiades danced with joy at the prison when the Three Hundred were going in and said, "Noble men!" and "It's Cleon's doing!" and Cleon charges him with hybris.[70] **100.** And in the following: "(The law provides that) the gates are not to be opened at night. Nicias did not open the gates to Cleon when he was leading the Three Hundred inside at the appointed time and is charged by him with hybris.[71]

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[67] Probably the father is imagined as tried for failing to take up and bury his son's body; cf. the trial of Athenian generals for neglecting to take up the bodies of the dead after the naval battle of Arginusae.

[68] Cf. Sopatros in Walz VIII p. 105.

[69] Cf. Thucydides 4.28.4 and the anonymous treatise on stasis in Walz IV p. 167,29.

[70] The Three Hundred are the prisoners brought to Athens by Cleon after his victory over the Spartans at the Battle of Sphacteria, 425 B.C.; cf. Thucydides 4.38.5.

[71] Cf. Syrianus 2, p. 146,2 ed. Rabe.

2. ΠΕΡΙ ΠΡΟΚΑΤΑΣΤΑΣΕΩΣ

1. Προκατάστασίς ἐστιν ἔφοδος πρὸς τὰς ἀποδείξεις ἢ κατασκευὴ τῶν ἀποδείξεων. προκαθιστάμεθα δ' ἐν τοῖς ζητήμασι ἢ ἐκ διανοίας ἐξετάσεως (γίνεται δ' αὕτη τριχῶς· ἢ γὰρ τὴν αὐτῶν διάνοιαν ἐξετάζομεν ἢ ⟨τὴν⟩ τῶν ἀκουόντων ἢ ⟨τὴν⟩ τῶν ἀντιδίκων) ἢ
243 ἐξ ἀντιπίπτοντος ἀναιρέσεως ἢ προσυστάσεως ἢ προδιαβολῆς | ἢ προδιορισμοῦ ἢ ἀντεξετάσεως τῶν προτέρων καὶ τῶν νῦν, ἢ αὐτὸ τὸ κεφάλαιον τὸ πρῶτον καταστατικῶς εἰσάγεται (τουτέστιν ἀνηπλωμένως καὶ ἀφηγηματικῶς) ἢ νόημα κεφαλαίου ἀπολαβόντες ὡς κατάστασιν εἰσάγομεν, οἷα πολλὰ παρὰ Ἀριστείδη, ἢ τρόπον παρεισφέρομεν, ἢ ἀπὸ ἐπαγγελίας.

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1 καταστάσεως *B* ‖ 2 προκατάστασις – 3 ἀποδείξεων om. *B* | ἢ Ha. πᾶσι ἢ *B* τοῖς *A*, quod del. Sp. ‖ 4 αὐτὴ *B* ‖ 5 ἐξετάσομεν *B* | add. Ba (bis) ‖ 6 ἀντιπιπτόντων αἱρέσεων *A* | ἢ[1] om. *A* | ἢ[1] ⟨ἐκ⟩ Ba. | ⟨ἐκ⟩ διαβολῆς *B* ‖ 7 προδιορισμοῦ ἢ] ⟨ἐκ⟩ διορισμοῦ ⟨τουτέστιν ἐξ ὑπογραφῆς⟩ ἢ ⟨ἐξ⟩ *B* | προτέρων ⟨καιρῶν⟩ *B* ‖ 8 εἰσάγοντες *B* | τουτέστιν – 9 ἀφηγηματικῶς del. Ha. (76) | ἀφηγηματικῶς καὶ ἀνηπλωμένως Anon. ‖ 9 νόημα] μέρος Anon. cf. Aps. 120.12 ‖ 9.10 προλαβὼν . . . εἰσάγεις *AB*, corr. Ba.

Chapter 2: On Preparation for the Proof

Apsines provides no discussion of the katastasis, or statement of a case (cf. Anonymous Seguerianus §112), nor of the prothesis, or proposition (ibid. §§161–69), nor of the merismos, or partition (ibid. §173). Instead, he inserts an unusual chapter on the prokatastasis which advises a student of declamation on how to move from the prooemion into narration and proofs. This does, however, include some consideration of the statement of the case and partition of the headings. The only other extended discussion of prokatastasis as a distinct part of a speech is found in the pseudo-Hermogenic treatise, On Invention, *pp. 108–119 ed. Rabe, probably a work of the fourth century. Syrianus 2.64 quotes Apsines and regards a prokatastasis as as a preview of the proof. Anonymous Seguerianus §264, quoting Harpocration, uses the term "prokatastasis" of the prooemion; cf. Rufus p. 402 Sp.-H. Rhetoricians often remarked on the need to prepare for the proof; cf. Anonymous Seguerianus §§40–45; Hermogenes,* On Stases *pp. 57–58 ed. Rabe and Heath p. 152. A possible precedent for Apsines' chapter is Aristotle,* Rhetoric *3.15, on how to meet a prejudicial attack, inserted between discussion of prooemion and narration. The use of the term prokatastasis in the account of the rhetoric of Corax by the sophist Troilus* (Prolegomena Sylloge, *ed. Rabe p. 52) is of no historical value. Aeschines 3.9–24 is an example of an extended prokatastasis, and such passages in the Attic orators probably inspired the discussion by Apsines' source (Basilicus?); he himself makes no claim for originality.*

1. A *prokatastasis* is an approach to the demonstrations (*apodeixeis*) or a preparation for the demonstrations. We create a prokatastasis in questions for declamation either by a scrutiny of intention—and this is threefold, for we scrutinize either our own intention or that of the hearers or that of the opponents—or from a removal of an objection or from a preliminary statement of the question at issue or from a preliminary prejudicial attack[72] or preliminary division or a contrast of circumstances of the past and those now existing; or else the first heading[73] is introduced as a statement of the case—and this is done in detail and with narrative[74]—or we introduce a *noēma*[75] from the (first) heading, separating it out as a statement of the case (*katastasis*)—many such are found in speeches of Aristeides—or we bring in a trope, or (we start) from a promise.

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[72] I.e., use of *diabolē*; cf. above, 1.20.

[73] The stasis, or question at issue, as understood by a speaker is regularly divided into a series of *kephalaia* or "headings," Latin *partitiones*. E.g., in Demosthenes' speech *Against Aristocrates*, cited below, three headings are identified in the *partitio* of section 19: he will show that the decree proposed by Aristocrates is 1) unconstitutional, 2) injurious to the state, and 3) that Chersobletes is unworthy of special consideration.

[74] Cf. the anonymous scholia on invention in Walz VII p. 721,21.

[75] A "thought," often in epigrammatic form; cf. Latin *sententia*. This form of prokatastasis, unlike the others listed, is not discussed below. The clause is repeated by an anonymous writer on stasis in Walz IV p. 302n.

2. Ἐπειδὴ τοίνυν τοὺς τρόπους τῶν προκαταστάσεων ἀκηκόαμεν, καὶ περὶ τῆς χρήσεως ἑκάστου, ἐν ᾧ τουτέστι χρηστέον, εἴπωμεν. **3.** ἑαυτῶν τοίνυν τὴν διάνοιαν ἐξετάζομεν ὁπόταν αὐτὸ ὃ πεποιήκαμεν δοκῇ μὴ ἰσχυρὸν εἶναι, ἀλλὰ μᾶλλον πρὸς τοῦ ἐναντίου, τῇ δὲ διανοίᾳ ἰσχύσωμεν. ἔστω τοίνυν ⟨τούτου⟩ τοῦ γένους τῶν ζητημάτων παράδειγμα νέος πλούσιος ἀφορῶν πρὸς τὴν ἀκρόπολιν καὶ δακρύων καὶ κρινόμενος τυραννίδος ἐπιθέσεως καὶ δημοσίᾳ φεύγων.

4. Τὴν δὲ τῶν ἀκουόντων γνώμην ἐξετάσομεν ὅταν ὃ μὲν πεποιήκασι δοκῇ καθ’ ἡμῶν εἶναι, ἐκ δὲ τῆς ἐξετάσεως τῆς γνώμης ὑπὲρ ἡμῶν φαίνηται πεποιημένον, ὡς ἐπ’ ἐκείνου τοῦ ζητήματος· οἱ Ἀθη-
244 ναῖοι τυραννευόμενοι ὑπὸ τῶν τριάκοντα ὑπὸ ἑνὸς ἀξιοῦσι | τυραννεῖσθαι. ἐξετάσουσι γὰρ οὗτοι τὴν γνώμην τῶν Λακεδαιμονίων πρὸς τὸ χρήσιμον ἑαυτοῖς λέγοντες, ὅτι “καὶ αὐτὴν τὴν τυραννίδα κατεστήσατε οὐκ ἐπὶ ὠμότητι καὶ ἀπανθρωπίᾳ, ἀλλ’ ἐπὶ νουθεσίᾳ μᾶλλον καὶ ἐπανορθώσει τῶν πραγμάτων· διὰ τοῦτο γοῦν καὶ πάντας κατεστήσατε, ὡς ἂν μέτρια εἴη”· καὶ ἐπάξεις, “εἰ μὲν οὖν ἀπήντηκε τὰ ἐλπισθέντα”.

5. Τὴν δὲ τοῦ ἀντιδίκου γνώμην ἐξετάζειν ὀφείλομεν τότε ὁπόταν ᾖ τὸ πρόσωπον ἄδοξον ἢ δοκῇ μὲν φιλάνθρωπόν τι ποιεῖν μετὰ διανοίας δὲ μοχθηρᾶς, ὡς ἐπ’ ἐκείνου· ἐν πολιορκίᾳ τινὲς διέπεμψαν παρὰ τύραννον σῖτον αἰτοῦντες· ὃ δ’ ἔδωκε καθ’ ὁδὸν διηρπάσθη. πάλιν ᾔτησαν· ὁ δ’ αὐτὸς ἥκει κομίζων· καὶ βουλεύονται εἰ χρὴ δέχεσθαι· ὁ γὰρ ἀντιλέγων ἐξετάζει τὴν γνώμην αὐτοῦ, λέγων, “τίνι

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2 τουτέστι ἐν ᾧ *B* τούτοις ἐστὶ coni. Sp. | ἐν – χρηστέον del. Ha. (76) || 3 τὴν om. *B* | ὃ ⟨μὲν⟩ πεποιήκασιν (scil. οἱ ἀκούοντες) Fi. || 4 εἶναι om. *A* || 5 ἰσχύσομεν *B* ἰσχύωμεν Ba. | ⟨καὶ⟩ ἔστω *B* | τοίνυν τοῦ] τοῦ τοιούτου *B* | add. Sp. || 6 ⟨ὁ⟩ νέος *B* | πρὸς] εἰς *B* | καὶ om. *A* || 7 καὶ[1] del. Sp. | ἐπιθέσεως om. *B* || 8 ἐξετάζομεν *B* | ὁπόταν *B* | πεποιήκαμεν B || 10 πεποιημένον] γεγενημένον *B* || 11 τυραννευόμενοι om. *B* | ὑπὸ] ἐπὶ *B* | τῶν om. *A* || 13 καὶ om. *B* || 15 πάντας] πολίτας *B* πάντας πολίτας Ba. πολιτεῖαν Ha. (76) coll. X. H. G. 2.3.1 || 16 ἂν ⟨ταύτῃ⟩ *B* | μετρία *B* || 18 τότε om. *B* || 19 πρόσωπον ⟨αὐτοῦ⟩ *B* || 20 τινὲς διέπεμψαν] τινὶ καὶ σιτοδίᾳ (-είᾳ *B*[c]) ἔπεμψαν *B* || 21 ὁ *A*, correxi om. *B* | δ’ ἔδωκε] δέδωκεν καὶ *B* | διηρπάγη *B* || 23 γὰρ] δὲ *B* | ἐξετάσει *B*

2. Since then we have heard what are the forms prokatastases can take, let us speak about the use of each form: in what situation it should be used. **3.** Well, we scrutinize our own intent whenever what we have done does not seem to leave us in a strong position but rather makes us subject to the claims of the opponent, yet we have a strong argument in our intent. Let the following be an example of this kind of question: A rich young man, gazing at the acropolis and crying and being tried for attempt at tyranny and defending himself in the public courts.[76]

4. We shall scrutinize the intent of the hearers whenever what they have done seems to tell against us but from the scrutiny of their intent it seems to have been done in accordance with our position, as in the following question: The Athenians when under the tyranny of the Thirty preferred the autocratic rule of a single individual.[77] They will examine the intent of the Lacedaimonians in terms of what is useful to themselves, saying that "You set up this very tyranny not for violent and inhuman rule but rather for the establishment of law and the correction of problems. Surely for this reason you also set up all other rulers with the objective that their actions be moderate." And you will draw the conclusion, "If then things have not worked out as you hoped, (you should replace the tyranny of thirty with that of one)."

5. We ought to scrutinize the intent of the opponent whenever his imagined character is of ill repute or he seems to be doing something generous but from evil intent, as in the following: During a siege, some of the inhabitants sent a message to a tyrant requesting food. What he gave was plundered en route. They sought again. He came himself, bringing food, and they debate whether it should be received. The person who speaks against it scrutinizes his intent, saying "With what intent does he himself wish to

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[76] Cf. Hermogenes, *On Stases* p. 49, 21–23 ed. Rabe; Syrianus 2.164,3 ed. Rabe; Sulpicius Victor 25.

[77] The Lacedaimonians were instrumental in establishing the tyranny of the Thirty in Athens in 404 B.C. An embassy to Sparta to request a single tyrant is an invention of the rhetoricians. Cf. below, 10.21 and 50.

διανοίᾳ βούλεται αὐτὸς εἰσελθεῖν καὶ δοκεῖν τι φιλανθρώπως ποιεῖν". ἅμα καὶ τὴν ἁρπαγὴν τοῦ σίτου διαβάλλων, ὡς οὐκ ἄνευ αὐτοῦ πέπρακται. **6.** τὴν δὲ γνώμην ἐξετάζοντας τότε χρὴ μάλιστα καθίστασθαι ὅταν ἐκ τῆς ἀποβάσεως ἔχωμεν συνιστάναι τὸ κακούργημα, ὡς ἐπ' ἐκείνου τοῦ ζητήματος· Αἰσχίνης ἐπέμφθη πρεσβευτὴς παρὰ τὸν Φίλιππον· καταλαβὼν αὐτὸν τεθνεῶτα συνέθετο πρὸς Ἀλέξανδρον καὶ κρίνεται παραπρεσβείας. ἐὰν γὰρ λέγωμεν ὅτι "οὗτός ἐστιν ὁ καὶ
245 τὴν ἀρχὴν πείσας εἰρήνην ποιήσα | σθαι πρὸς τὸν Φίλιππον, ἵνα μὴ τοῖς γενομένοις ἀγανακτοῦντες διακωλύσητε τὴν ἐπιβουλήν, ἣν ἐπεβούλευσε τοῖς Ἕλλησιν", ἔχομεν ἐκ τοῦ συμβεβηκότος συστῆσαι, ὡς καὶ ἐπ' ἐκείνου· Ἐλάτειαν καταλαβόντος Φιλίππου, νόμου ὄντος ἐν τρισὶν ἡμέραις βουλεύεσθαι περὶ πολέμου, ἀξιοῦντος Δημοσθένους αὐθημερὸν ἐξιέναι, Αἰσχίνης ἐνίσταται· καὶ ὅσα γε τούτοις παραπλήσια. **7.** ἔτι δὲ καὶ ἐν τοῖς τοιούτοις ζητήμασιν, ἐν οἷς ἀπέσταλται στέφανος ἢ πρεσβεῖα ἢ δωρεὰ παρά τινος τῶν πολεμίων, τὴν γνώμην ἐξετάζοντες τοῦ πέμψαντος οὕτω καταστησόμεθα λέγοντες, "οὐκ εὐνοϊκῶς οὐδὲ καθαρῶς, ἀλλὰ σύν τινι τέχνῃ καὶ πανουργίᾳ τοῦτο ὑπ' αὐτοῦ πέπρακται, ἤτοι συγκροῦσαι βουλομένου τὰς πόλεις ἢ διαβάλλειν ἡμᾶς, ἀποπειρωμένου πῶς ἔχομεν γνώμης περὶ τῶν πραγμάτων". **8.** καὶ ἔστω παράδειγμα τὸ ζήτημα ἐκεῖνο· πέπομφε Φίλιππος ψηφισαμένων τῶν Ἑλλήνων πολεμεῖν αὐτῷ ἀνοικιεῖν τὰς πόλεις ὑπισχνούμενος ἃς ἀπολώλεκε, καὶ βουλεύονται. **9.** καὶ πάλιν
246 ἐκεῖνο· ἀπέσταλκεν Ἀλέξανδρος ἐν τοῖς Δαρείου λογισμοῖς | εὑρηκέναι λέγων εἰληφότα Δημοσθένην πεντήκοντα τάλαντα, καὶ κρίνεται δωροδοκίας. **10.** καὶ ἔτι ἐκεῖνο· πέπομφε βασιλεὺς χρυσοῦν στέφανον

1 δοκεῖ *AB*, corr. Ba. | φιλάνθρωπόν τι *B* || 2 αὐτοῦ] τούτου *B* || 3 ἐξετάζοντα *B* | προκαθίστασθαι Ba. || 4 ⟨οἷον⟩ ὡς *B* || 5 πρεσβύτης *A* | παρὰ] πρὸς *B* || 8 συμπείσας *B* | ⟨ὑμᾶς τὴν⟩ εἰρήνην *B* | τὸν om. *B* || 11 ὡς] ὁμοίως *B* | καταλαβόντος] ἔχοντος *B* et Hermog. || 13 ἐξιέναι αὐθημερὸν *B* et Hermog. | γε] δὲ *B* | τούτοις ⟨ἐστὶ⟩ *B* || 14 ἔτι om. B^a | δὲ om. *B* || 15 ἢ . . . ἢ] ἡ . . . ἡ *A* | πρεσβεία *AB*, corr. Ba. | πολεμίων] πόλεων *B* || 16 πέμψαντος] ἀποστείλαντος *B* || 18 ὑπ' αὐτοῦ πέπρακται] πέπραχθαι *A* || 19 διαβάλλοντος *B* | ὑμᾶς ⟨ἢ⟩ *B* || 20 πέπονφε *A*, corr. Ba. ⟨ὃ⟩ πεποίηκεν *B* || 22 ἀπώλεκε *A* || 23 ἐκεῖνος *A*, corr. Sp. ἐπ' ἐκείνου *B* | ἐπέστακεν *B* | λογισμοῖς] χρήμασιν *B* || 24 εἰληφότα δημοσθένην om. *A* | καὶ om. *B* || 25 δωροδοκίας. καὶ ἔτι *A* μηδισμοῦ δημοσθένης. καὶ ἐν *B* (ἐν ἐκείνῳ Ba. qui etiam coni. ἐπ' ἐκείνου) | στέφανον χρυσοῦν *B*

come and to seem to do something generous?" At the same time (the speaker) casts suspicion that the seizure of the food was not done without his connivence. **6.** It is especially necessary for speakers to rely on examining intent when we can infer an evil deed from the result of an action, as in the following question for declamation: Aeschines was sent as an envoy to Philip; finding that he had died, he made a treaty with Alexander and is brought to trial for false embassy. If we say that "This is the man who in the beginning persuaded you to make peace with Philip in order that, when you were distressed by what had been happening, you might not hinder the plan which (Philip) had made against the Greeks," we are able to draw a conclusion from the result, as also in the following: After Philip took Elateia, although the law requires three days for decisions about war, Demosthenes recommends marching out the same day and Aeschines opposes.[78] And others similar to these. **7.** Furthermore, in cases where a crown or embassy or gifts have been sent by a certain person from among the enemy, we shall begin by scrutinizing the intent of the sender, saying, "In no good spirit nor with clean hands but with some craft and malice has this been done by him, whether wishing to bring the cities into conflict or to create prejudice against us, making trial of our state of mind about the events." **8.** And let the following question be an example: When the Greeks had voted to make war against him, Philip sent a message promising to resettle the cities he had destroyed, and they debate what to do. **9.** And again the following: Alexander sent a report that in the accounts of Darius something had been found saying that Demosthenes had received fifty talents (from Darius), and Demosthenes is tried for bribery.[79] **10.** And further the following: A king sent a golden crown to "the best of the cities," and

[78] Cf. Hermogenes, *On Stases* 76, 9–10.
[79] Demosthenes was brought to trial on charges of receiving a bribe from Alexander's treasurer, Harpalus, not from Darius; cf. Plutarch, *Demosthenes* 26.

τῇ ἀρίστῃ τῶν πόλεων, καὶ ἀξιοῖ τις ἐν τοῖς Ἕλλησιν ἐπ' αὐτὸν στρατεύειν.

11. Ἐξ ἀντιπίπτοντος δ' ἀναιρέσεως ἀντικαθιστάμεθα ὅταν ᾖ πλείονα τὰ ἀντιπίπτοντα ἐκ τῆς διανοίας τῶν ἀκουόντων καὶ δέῃ τὰ μὲν ἐν προοιμίοις ἀνελεῖν, τὰ δ' ἐν καταστάσει· ἢ ὅταν ἓν μὲν ᾖ τὸ ἀντιπῖπτον, ἰσχυρὸν δὲ καὶ δι' ὅλου τοῦ λόγου ἀνθιστάμενον, ὡς ἐν τῷ κατὰ Ἀριστοκράτους· ἓν μὲν γὰρ τὸ ἀντιπῖπτον, τὸ δοκεῖν εὐεργέτην εἶναι Χαρίδημον, ἔθηκεν δ' αὐτὸ ἔν τε προοιμίοις καὶ ἐν κεφαλαίοις καὶ ἐν καταστάσει.

12. Ἐκ προσυστάσεως δὲ ποιησόμεθα κατάστασιν ὁπόταν μὴ τῷ πρώτῳ κεφαλαίῳ εὐθὺς ἐπιβῶμεν, ἀλλὰ προσυνιστῶμεν αὐτὸ ὡς ἀναγκαῖον ἐν πρώτοις τεθῆναι καὶ εἰς τὰ μέγιστα διάφορον, οἷον ὅταν νόμιμον ἢ ἄλλο τι μέλλῃς ἐξετάζειν κεφάλαιον πρῶτον, εἶτα μὴ ἔχῃς ἄλλην κατάστασιν μηδὲ διήγησιν καὶ βουληθῇς τὸ κεφάλαιον προεπισημήνασθαι. γίνεται μὲν γὰρ καὶ διηγήσεως οὔσης προσύστασις
247 κεφαλαίου ὅταν ᾖ ἰσχυ | ρόν· γίνεται δὲ καὶ μὴ οὔσης μήτε διηγήσεως μήτε καταστάσεως, οἷον [εἰ κατάστασις] "ὃ τοίνυν μάλιστα τὸν τῶν ἀνθρώπων συνέχει βίον".

13. Ἐκ προδιαβολῆς δ' ὁπόταν τὰ τοῦ ἀντιδίκου ἢ τὰ περὶ αὐτὸν διαβάλλῃς· γίνεται δ' ἐν οἷς ἄδοξα ὑπόκειται πρόσωπα, οἷον ὡς ἐπ' ἐκείνου τοῦ ζητήματος· ἐν σπάνει χρημάτων ἔγραψεν ὁ Ἀριστογείτων μισθοῦ μυεῖν καὶ κρίνεται· ἢ [ἐκ διορισμοῦ] ὡς ἐν τῷ τῆς Παραπρεσβείας· ἁρμόττει δ' ἂν μὲν δημοσίᾳ τις φεύγῃ ὅταν ἄλλη κατάστασις μὴ ᾖ.

14. Προδιοριζόμεθα δ' ὁπόταν ἀκόλουθα οἷς προδιοριζόμεθα ᾖ τὰ μέλλοντα ἐπιφέρεσθαι· οἷον δεῖ παρὰ πρεσβευτοῦ τῶνδε καὶ τῶνδε

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1 καὶ om. *A* ‖ 3 καθιστάμεθα *B* προκαθιστάμεθα Kayser ‖ 3.4 ᾖ πλείονα] πλέον ᾖ *B* ‖ 5 ἓν μὲν ᾖ] ἐμμένῃ *A* ‖ 6 καὶ om. *A* καὶ ⟨δέῃ⟩ Fi. | ἀνθιστάμενον τῷ λόγῳ *A* | ἀνθίστασθαι *B* ‖ 7 εὐεργέτειν *B* ‖ 8 ⟨αὐτὸν⟩ χαρίδημον *B* | ἔν τε] καὶ ἐν *B* καὶ ἔν τε Sp. ‖ 10 μὴ ante 11 εὐθὺς *B* ‖ 11 ἐπιβῶμεν] ἐπιπηδῶμεν *B* | ὡς ⟨καὶ⟩ *B* ‖ 12 διαφέρον *B* | ὅταν] τὸ *B* ‖ 13 ἢ ⟨εἰ⟩ *B* | μέλλοις . . . ἔχοις *AB*, corr. Ba. ‖ 14 καὶ ⟨εἰ⟩ *B* | βουληθείης *AB*, corr. Ha. ‖ 15 πρὸς σύστασιν *A* ‖ 16 ἰσχυρὸν ᾖ *B* ‖ 17 ἀποστάσεως *B* | del. Ha. | εἰ] ἡ *A* | κατάστασις ⟨εἴη ἢ προσύστασις οἷον⟩ *B* ‖ 19 δὲ ⟨καθιστάμεθα⟩ fort. addendum | ὁπόταν – p. 122.3 εἰσφορᾶς om. *A* ‖ 20 διαβάλῃς *B*, corr. Ba. | ἔνδοξα Ba. ‖ 22 del. Sp. ‖ 23 φεύγει *B*, corr. Ba. ‖ 25 προσδιοριζόμεθα *B*, corr. Ba. bis ‖ 26 πρεσβευτὰς *B*, corr. Ba.

someone among the Greeks favors an expedition against him.[80]

11. We take an opposing position involving removal of an objection whenever the objections arising from the hearers' attitude toward the case are numerous and it is necessary to counteract some in prooemia, some in the proof; or whenever there is only one objection, but a strong one and opposed to us through our whole speech, as in (Demosthenes' speech) *Against Aristocrates*. For there is a single objection, the fact that Charidemus seems to be a benefactor (to Athens), and (Demosthenes) dealt with it in the prooemia and in the headings and in the proof.[81]

12. We shall make a (pro)katastasis from a preliminary consideration of the question at issue (*prosystasis*) whenever we do not immediately come to the first heading but when we mention it as necessarily among the first things to consider and as making the greatest difference, as when you are going to scrutinize what is lawful or something else as the first heading, then have no other starting point for the proof or a narration and wanted the heading to be noted in advance. For even when there is a narration, a preliminary consideration of a heading occurs whenever it is a strong point; and it also occurs when there is neither a narration nor a statement of the case (*katastasis*); for example, "What most controls the life of men."[82]

13. (You make use of a prokatastasis) from a preliminary prejudicial attack (*prodiabolē*) whenever you attack the deeds of the opponent or things around him; this applies in cases where the characters (of opponents) are disreputable, for example in the following question for declamation: When money was scarce, Aristogeiton introduced a motion to close eyes for pay and is brought to trial.[83] Or as in (Demosthenes') speech *On the False Embassy*.[84] And (prejudicial attack) is fitting if someone is a defendant in the public courts and there is no other (pro)katastasis.

14. We make a preliminary division whenever charges that are going to be introduced later follow from the preliminary division; for example, it is necessary to have an audit from an ambassador for this and that (receipt

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[80] Cf. below, 3.17.

[81] Demosthenes 23.6 (in the prooemion), 19 (in the headings), and 144–95 (in the proof).

[82] The source of the quotation is unknown, but cf. Aelius Aristeides 51.28: "These three things are looked at in the case of every man and control his life: soul, body, and whatever outside of these comes for his use."

[83] Presumably the imaginary proposal is to allow citizens to overlook illegal actions in return for a bribe; cf. below 2.19, 3.11, 5.6, and 5.8; also scholia to Hermogenes *On Stases* in Walz IV p. 183. Aristogeiton is not the tyrannicide of 514 B.C. but an Athenian of the third quarter of the fourth century B.C. who incurred heavy fines for an illegal proposal in the assembly, though not for the measure here imagined. His character is vigorously attacked in orations 25 and 26 of Demosthenes. According to the hypothesis to oration 25, Dionysius of Halicarnassus denied that the speeches were authentic, but others disagreed.

[84] Cf. Demosthenes 19.9–28.

λαβεῖν εὐθύνας, ὡς, ἐὰν μὴ πάντα δυνώμεθα ἐπιδεῖξαι, περιττὸν τὸ ἐπαγγέλλεσθαι πάντα, ἀλλ' ἐκεῖνα ἃ δυνάμεθα.

15. Ἐξ ἀντεξετάσεως δὲ καθιστάμεθα ἐν πᾶσι τοῖς ἐξ ἀποβάσεως, οἷον ὡς ἐπ' ἐκείνου· Σκύθαι νομάδες πόλιν ᾤκησαν καὶ νοσοῦσι· συμβουλεύει τις αὐτοῖς τοῦ προτέρου ἔχεσθαι βίου. ἐὰν γὰρ ἀντεξετάσῃς, λέξεις οἷα πρότερον ἦν πρὸ τῆς πόλεως, οἷον ὑγίεια, εὐεξία καὶ ὁποῖα τὰ νῦν.

248 | **16.** Τὸ δὲ κεφάλαιον αὐτὸ καταστατικῶς εἰσάγεται, ὡς ἐν τῷ δευτέρῳ τῶν Ὀλυνθιακῶν· "ἐγὼ γάρ, ὦ ἄνδρες, σφόδρ' ἂν ἡγούμην καὶ αὐτὸς φοβερὸν τὸν Φίλιππον καὶ θαυμαστόν, εἰ τὰ δίκαια πράττοντα ἑώρων"· τοῦτο γὰρ κεφάλαιόν ἐστι τὸ δυνατόν, εἰσῆκται δὲ καταστατικῶς. μέρος δὲ κεφαλαίου, ὡς ἐν τῷ Ἰσοκράτει Ἀριστείδου.

17. Τὸ δ' ἐκ τρόπου ἁρμόσει σοι καὶ ⟨ἐν⟩ ἐνίοις τῶν ἐσχηματισμένων, ἐν οἷς εἰσηγησαμένου τινὸς καὶ πείσαντος σὺ τὴν εἰσήγησιν ταύτην ἐν ἀληθείᾳ κακίζεις, προσποιῇ δ' ἐπαινεῖν, καὶ ἄλλο τι δεῖ προστιθέναι ἕτερον αὐτῷ ἀκόλουθον· ἁρμόσει γάρ σοι λέγειν· "ἐσφάλην τοῦ προσήκοντος, ἐγὼ μὲν γὰρ ᾤμην τοιάδε αὐτὸν γράψειν καὶ τοιάδε". **18.** οἷον ὡς ἐπ' ἐκείνου· ἔγραψεν ὁ Περικλῆς τὴν Ἀττικὴν δῃοῦν· γράφει ὁ Νικίας ἀπὸ τῆς Ἐλευσῖνος ἄρξασθαι· λέξει γὰρ ὁ Νικίας, ὅτι "ἐγὼ μὲν ᾤμην πρότερον, ὅτε ἐκκλησίαν τις ἐπήγγειλλε καὶ παρῆλθε Περικλῆς, ταῦτα τὰ εἰωθότα λεχθήσεσθαι, ἀμύνεσθαι ὑπὲρ τῆς χώρας καὶ κινδυνεύειν καὶ ὅσα ἄλλα τοιαῦτα. ἀλλ' ὁ σοφὸς Περικλῆς τούτων μὲν ὑπερεῖδεν, εὖ γε ποιῶν καὶ καθ' ἑαυτόν· ἠκούετε δ' οἷα διεξῄει, οἷα μηδεὶς πρότερον. τί οὖν ἕπεται τούτοις; ἀρχὴν ζητῆσαι καὶ τόπον, ἀφ' οὗ ἀρξόμεθα". **19.** ἁρμόσει δὲ τοῦτο καὶ ἀγωνιστικοῖς ἐνισταμένων ἡμῶν ἐνίοτε, πεφεισμένως μέντοι καὶ
249 ταμιευομένων ἡμῶν | τοὺς πλείστους τρόπους τῶν μεταληπτικῶν. ἔσται δὲ τοῦτ' ὁπόταν εἰσηγήσει τινὸς ἀντιλέγῃς ἐν εὐθύναις, οἷον ὡς ἐπ'

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4 ᾤκισαν Ba. || 5 πρότερον *B*, corr. Ald. || 6 ἀντεξέστασις *B*[a], corr. *B*[2] || 11 ἑώρων] ηὐξημένον D. || 13 add. Ba. || 15 κακίζῃς *B*, corr. Ba. || 17 γράφειν *B*, corr. Ba. || 18.19 δῃοῦν τὴν ἀττικήν *B* hic et supra 104.4, correxi || 19 ἄρχεσθαι *B* hic et supra 104.5, correxi || 20 ὅτε Ba. ὅτι *B* | ἐπήγγελλε *B*, corr. Ba. || 26 ἀγωνιστικῶς Ha. coll. 146.7 || 27 ταμιευόμενος *B*, corr. W. || 27.28 ἔσται δὲ] γένοιτο δ' ἂν Ba. ex cod. O || 28 ἐν Ba. ἢ *B*

and expenditure); since if we cannot prove all the items, it is excessive to list all of them but (enough to list) those that we can prove.

15. We begin with a contrast (*antexetasis*) in all (questions) of result; for example, in the following: Scythian nomads founded a city and become sick; someone advises them to return to their former way of life.[85] For if you make a comparison, you will say what conditions were before founding the city, for example sanitation and health, and what they are now.

16. The (first) heading itself is introduced as a statement of the case[86] in the way found in the second *Olynthiac*: "For I, too, gentlemen, would regard Philip as someone to be feared and admired if I saw him acting justly."[87] Here the heading is "the possible," and it is introduced as the beginning. But it can be a part of a heading, as in Aristeides' "Isocrates."[88]

17. The use of a trope[89] will be fitting for you in some figured problems of declamation[90] in which, after someone has introduced a motion and persuaded (the hearers to adopt it), you really find fault with the motion but pretend to praise it and (say) that something else needs to be added to it as (logically) following; for it will be fitting for you to say, (for example,) "I misunderstood what was involved, for I thought he was proposing this or that." **18.** For example, in the following: Pericles introduced a motion to lay waste Attica; Nicias introduces a motion to begin from Eleusis.[91] Nicias will say that, "I first thought, when someone convened the assembly and Pericles stepped forward, that the usual things were going to be said: that we should fight in defense of our place and face danger and other things of that sort. But the wise Pericles overlooked these points, quite rightly and in his own distinctive way. You have heard what he described, things which no one has proposed before. Now what follows from these proposals? (We must) find a beginning and a place from which to begin." **19.** This (technique) will be fitting sometimes also when we are entering into (other) debates, provided we use it sparingly and exercise control over most tropes of the transferred meanings. This will be the case whenever you speak against

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[85] Cf. above, 1.48, 54, and 72; below, 3.8.

[86] *Katastatikōs* here seems to correspond to "in detail and with narrative" in 2.1, above. The adverb is rare and can mean "calmly," but here echoes Apsines use of *katastasis* and *kathistēmi* to refer to setting out the case through this chapter. In *Olynthiac* 2 Demosthenes continues with a narrative of Philip's actions.

[87] Demosthenes 2.6.

[88] This speech has not survived.

[89] I.e., irony.

[90] Cf. above, note on 1.16.

[91] Cf. above, 1.85. "Nicias" is trying to defeat "Pericles'" motion by carrying it to the extreme of starting with the sanctuary of Eleusis, which will seem an act of impiety to the Athenians.

ἐκείνου· ἔγραψεν ὁ Ἀριστογείτων μισθοῦ μυεῖν· ἀντιλέγει τις, οἷον “ἐγὼ μὲν ᾤμην ἄλλους πόρους τινὰς τοῦτον εὑρεῖν χρημάτων εἰσφορᾶς”.

20. Ἀπὸ ἐπαγγελίας δὲ καθιστάμεθ' ὅταν οἱ ἀκούοντες ἐπιζητῶσι τόδε τι κεφάλαιον, δηλονότι τὸ συνέχον, σὺ δὲ λέγῃς σπεύδειν μὲν ἐπ' αὐτὸ καὶ ἡδέως ἂν ἀπ' αὐτοῦ τὴν ἀρχὴν ποιήσασθαι, εἶναι δ' ἀναγκαῖον ἄλλα τινὰ πρὸ αὐτοῦ εἰπεῖν· ἢ ὁπόταν δοκῇς μέρει τινὶ τῶν κεφαλαίων ἀσθενὴς εἶναι καὶ λέγῃς μὴ οὕτως ἀσθενῆ δείξειν, ἀλλὰ καὶ ἰσχυρότατα· ἢ ὁπόταν τοῦ ἐναντίου δοκοῦντος ἰσχυρίζεσθαί τινι κεφαλαίῳ λέγῃς ἐπαγγελλόμενος, οὐ πρὸς ἐκείνου μᾶλλον ἢ πρὸς ἡμῶν εἶναι.

3. ΠΕΡΙ ΔΙΗΓΗΣΕΩΣ

1. Ὅτι μὲν αἱ διηγήσεις πραγμάτων γενομένων ἐκθέσεις, καὶ ὅτι μάλιστα πιθανότητος καὶ σαφηνείας δεῖ ἐν διηγήσει καὶ ὅτι διττὸν τὸ γένος τῶν διηγήσεων, τὸ μὲν διὰ ψιλῶν πραγμάτων, τὸ δὲ μετὰ
250 διανοιῶν | ἐξεταζομένων καὶ κατασκευῶν προστιθεμένων, ἑτέροις λέγειν ἀφίημι· καὶ ὅτι αἱ μὲν ἱστορικαί, ὧν πολὺ εἶδος ἐν συγγραφαῖς, αἱ δ' ἀγωνιστικαί, οἷον παρὰ τοῖς πολιτικοῖς. ἔλθοιεν δ' ἄν ποτε καὶ ἱστορικαὶ πρὸς πολιτικόν. ἔσται μὲν πολιτικὸς ὁ λόγος, δεῖ δὲ τὸ ὕπτιον αὐτῶν ἐπανορθοῦσθαι διὰ τῶν γοργῶν σχημάτων. ἐῶ δὲ κἀκεῖνο λέγειν, ὅτι ὁ μὲν Λυσίας κατὰ ὄρθωσιν ἀνηπλωμένως τὰς διηγήσεις, ὁ δὲ Δημοσθένης πλαγιάζων μετ' ἐννοίας εἰσάγει, καὶ ὁ μὲν ψιλάς, ὁ δὲ συμπερινοῶν τι αὐταῖς. **2.** εἰ δὲ δὴ βούλει κἀκεῖνο

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2 εὑρεῖν] ἐρεῖν Sp. ex codd. S et V ‖ 3 εἰσφοράς Fi. ex cod. G ‖ 4 δὲ om. *A* | ὁπόταν ⟨ἢ⟩ *B* ὁπόταν Sp. ‖ 6 αὐτὸ] αὐτῷ *A* | αὐτοῦ] ἐκείνου *B* ‖ 7 ἀναγκαῖα *B* | πρὸ αὐτοῦ] πρὸς ὃ αὐτὸ *A* πρὸς τὸ αὐτὸ Sp. | ἢ – τινὶ om. *A* ‖ 8 οὕτως *B* cf. 220.11 ὅτι ὡς *A* ὅτι Ha. qui etiam coni. ὅπως | δείξειν] δὲ ἕξεις *A* ‖ 9 ἢ om. *A* ‖ 10 ⟨ἢ⟩ ἐπαγγελλόμενος λέγῃς *A* ἐπαγγ. λέγ. Ha. ‖ 11 ὑμῶν *A* σοῦ Ba. ‖ 13 ἡ διήγησις *B* | ἐκθέσεις γενομένων *B* ‖ 14 διττὸν – 15 διὰ om. *A* ‖ 15.16 διὰ μετανοιῶν *B* ‖ 16 προσεξεταζομένων *B* ‖ 17 μέν ⟨εἰσιν⟩ *B* | ἐν συγγραφαῖς] συγγράψαις ἄν *B* ‖ 18 ⟨αἱ⟩ παρὰ *B* ‖ 19 πρὸς] εἰς *B* | ⟨οἷον⟩ ἔστι *B* | μὲν om. *A* μὲν ⟨οὖν⟩ codd. G et O ‖ 20 ὕπτιον om. *B* | αὐτοῦ *B* | γοργῶν Fi. coll. 170.16 ἐναργῶν *AB* | ἐῶ] ἔχω *B* ‖ 21 κἀκεῖνα *AB*, corr. W. | ἀνηπλωμένας *AB*, corr. Ba. ‖ 22 διηγήσεις ⟨εἰσγάγει⟩ *B* | πλαγιαίων *A* | ἐννοίας] εὐτονίας *B* et W. coll. 170.20 ‖ 23 προσπερινοῶν *B* περοεπινοῶν Ba. | ταύταις τι *B* | δὴ om. *B*

someone's proposal in cases of financial audit, for example in the following: Aristogeiton introduced a motion to close eyes (to illegal actions) for pay;[92] someone speaks against this, (saying) for example, "I was thinking that he would have found some other source of financial income."

20. We begin with a promise (*epangelia*) whenever the hearers are expecting some particular heading that would clearly limit the question at issue and you say you are hurrying to discuss that and are happy to make a beginning from that, but that it is necessary to talk about certain other things first. Or whenever you seem to be in a weak position in regard to a certain part of the headings and you say that you are going to show that your position is not weak in the way thought but even constitutes the strongest grounds. Or whenever the opponent seems to be on strong grounds in some heading and you declare that it is not more in his favor than in ours.

Chapter 3: On Narration

1. That narrations (*diēgēseis*) are an exposition of things that have happened, and that there is special need in a narration of persuasiveness and clarity,[93] and that there are two kinds of narrations, one an account of the bare facts,[94] the other including a scrutiny of intentions and of the arguments that are being set out, I leave to others[95] to say; also that some narrations are historical, of which there are many specimens in prose writers, and some argumentative, as in speeches of political orators. Historical narrations would also sometimes come into in political oratory; the speech will be political but there is need to correct the audience's suspicion by use of vigorous figures.[96] And I also have no objection to one's saying that Lysias introduces detailed narrations using the nominative case, while Demosthenes varies the cases with the thought,[97] and that the former uses bare narrations while the latter brings in some interpretation with them. **2.** And indeed (I have no objection) to your learning, if you want, that in

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[92] Cf. above, 2.13, and below, 3.11 and 5.6.

[93] Quintilian 4.2.31 attributes to Isocrates a requirement that a narration should be clear, brief, and probable; this is often found in handbooks; cf. Cicero, *On Invention* 1.28; *Rhetoric for Herennius* 1.14; Anonymous Seguerianus §63. Aristotle, *Rhetoric* 3.16.4, complained that the requirement that a narration should be "rapid" (= brief?) is ridiculous.

[94] Cf. the definition of a narration by Theodorus of Byzantium as quoted by the Anonymous Seguerianus §49: "a narration is an exposition of an action complete in itself in terms of a bare reporting about things that have already been done."

[95] Numerous handbooks of rhetoric existed in Apsines' time. Here he does not seem to have any particular work in mind and no extant handbook treats the narration in exactly the way here summarized.

[96] On figures in narrative passages, cf. below, 3.27; Cicero, *On the Orator* 3.202; Quintilian 9.2.40.

[97] E.g., by using the genitive absolute; cf. below, 6.14.

μαθεῖν, ὅτι ἐν ταῖς διηγήσεσιν οὐ χρὴ προεκκενοῦν τὰ πράγματα, ἀλλὰ συμμέτρως, καὶ ὅτι ἐνίοτε οὐ διηγητέον, ὅταν καθ' ἡμῶν ἡ διήγησις ᾖ· ὅταν δὲ τὰ μὲν τῶν πραγμάτων ὑπὲρ ἡμῶν ᾖ, τὰ δὲ καθ' ἡμῶν, τὰ μὲν ὑπὲρ ἡμῶν διηγητέον, τὰ δὲ καθ' ἡμῶν ἐν ταῖς ἀντιθέσεσι τηρητέον καὶ λυτέον. **3.** ἔτι γε μὴν ἐκεῖνο εἰδέναι ἄξιον, ὅτι διήγησις τοῦ ἀφηγηματικοῦ τούτῳ διαφέρει, ὅτι ἡ μὲν διήγησίς ἐστιν αὐτῶν τῶν γεγονότων ἐν τῷ πράγματι τῷ κρινομένῳ ἀφήγησις,
251 τὸ δ' ἀφηγηματικὸν | πολλάκις κἀν τοῖς κεφαλαίοις τίθεται, ὅταν ᾖ ἐκ παραδειγμάτων ἢ λύσιν γεγονότων τιθέντες ἀφηγηματικῷ σχήματι εἰσάγωμεν. εἰδέναι δὲ χρὴ ὅτι καταστάσεως ἀφήγησις ταύτῃ διενήνοχεν, ὅτι ἡ μὲν ἀφήγησίς ἐστιν αὐτῶν τῶν γεγονότων ἔκθεσις, ἡ δὲ κατάστασις ἐξ ἰδίας ἐννοίας τοῦ λέγοντος καὶ τὰ ἀντιπίπτοντα προαναιρεῖ ἐκ τῆς τῶν ἀκουόντων ἐννοίας· καὶ ἡ μὲν διδάσκει τὸ πρᾶγμα, ἡ δὲ προκαθίστησι τοὺς ἀκροατὰς πῶς δεῖ ἀκούειν τῶν πραγμάτων.

4. Ταῦτα μὲν οὖν καθολικώτερον ἐπὶ πασῶν διηγήσεων, νῦν δὲ ὥσπερ εἰώθαμεν περὶ τῶν γενικῶν διηγήσεων εἴπωμεν. **5.** ὅπου ἂν δωρεὰν ἢ αὐτοὶ αἰτῶμεν ἢ ἄλλῳ γράφωμεν μέγα τι κατειργασμένῳ, ἁρμόσει διηγεῖσθαι τὰ πεπραγμένα οὐχ ἁπλῶς, ἀλλὰ προπαραιτησάμενον ⟨μηδὲν⟩ μηδενὶ ἐπαχθὲς παραστῆναι καὶ τὸ ἄκοντα δοκεῖν λέγειν αὐτά. ἔσται δὲ καὶ αὔξησις τῆς εὐεργεσίας, οὐκ ἐὰν ἁπλῶς διέλθῃς τὰ κατωρθωμένα, ἀλλ' ἐὰν πρότερον αὐξήσῃς τὸ μέγεθος τῶν προτέρων συμφορῶν ἃς ἀπήλλαξεν ἢ τὴν δύναμιν τῶν ἐχθρῶν ἣν

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1 μανθάνειν *B* μάνθανε Ba. | ἐν ταῖς] πρώταις *A* | χρὴ] δεῖ *B* qui οὐ δεῖ praeb. ante ἐν | προεκκαινοῦν *A* ‖ 2 οὐ] οὐδὲ *B* ‖ 3 ᾖ om. *B* | τὰ μὲν post πραγμάτων *B* ‖ 4 μὲν – διηγητέον om. *B* ‖ 5 γε om. *B* | ἐκεῖνο om. *B* | ἄξιον εἰδέναι *B* ‖ 6 ⟨ἡ⟩ διήγησις coni. Ha. | τοῦ om. *B* | ἀφηγήματος *B* | τοῦτο *A*, corr. Sp. ταύτῃ *B* ‖ 7 ἐν . . . τῷ κρινομένῳ] ⟨καὶ τοῦ⟩ ἐν . . . κρινομένου *B* ‖ 8 κἀν] καὶ ἐν *B* | ᾖ] ἢ *B* | ἐκ om. *B* ‖ 9 παράδειγμα *B* | ἡ λύσις *A* | ἀντιθέντες *B* | ἀφηγηματικῶς σχήματα *B* ‖ 10 εἰσάγομεν *A* | ἀφήγησις] διήγησις *B* | διενήνοχεν] διαφέρει *B* ‖ 11 ἐστιν ante ἔκθεσις *B* | γεγονότων] πραγμάτων *B* ‖ 12 ἐπινοίας *B* ‖ 13 ἀναιρεῖ *B* προαναιρῶν Anon. ‖ 14 ἀκροατὰς] δικαστὰς *B* | ⟨αὐτοὺς περὶ⟩ τῶν *B* ‖ 16 καθολικώτερα *B* | ἐπὶ] περὶ Fi. | νυνὶ *B* ‖ 17 περὶ τῶν γενικῶν] γενικῶς περὶ τῶν *B* | εἴπωμεν – 18 αἰτῶμεν om. *A* | ὅπου ἂν *B* ὁπόταν coni. Sp. ‖ 18 ἢ² εἰ *A* | γράψωμεν *B*, corr. Ha. γράφομεν *A* | ⟨ὡς⟩ μέγα *B* ‖ 19 ἀλλ' ⟨ὃ⟩ προπαριτησόμεθα *B* ‖ 20 add. Ba. | παραστῆναι ἐπαχθές *B* | τὸ om. *B* | ἄκοντας *B* | δοκεῖν] δεῖν *A* ‖ 21 αὐτάς *A* | καὶ om. *B* | ἐπεργεσίας *A* ‖ 23 ἀπήλλαξεν] ἔπαυσεν *A* | ἣν om. *B*

narrations it is not right to exhaust the facts but rather (they should be given) in moderation, and that sometimes, when a narration tells against us, one should not give a narrative account,[98] but whenever some of the facts are in our favor and some against us, one should narrate what is in our favor while one should test and refute those against us in objections.[99] **3.** Furthermore, it is worthwhile to recognize the following, that narration (*diēgēsis*) differs from recounting of incidents (*aphēgēsis*) in that the narration is a recounting of the things that have happened in the matter under judgment, but a passage recounting some incidents is often also included in the proof when examples are cited or when we introduce a rebuttal of what has happened by means of a narrative figure.[100] But one should recognize that a recounting of incidents has this difference from laying the basis for proof in that recounting of incidents is an exposition of the things that have happened whereas laying the basis for proof from personal intent of the speaker also rebuts objections arising from the assumptions of the hearers; and the former teaches facts, the latter influences the hearers in how they should listen to the facts.[101]

4. So much in general about all narrations. Now, in our usual way, let us speak about typical narrations. **5.** Wherever we demand some favor for ourselves or introduce a motion on behalf of someone else who has done some great action, it will be fitting not simply to narrate the things done but, after deprecating that anything troublesome has incidentally resulted for anyone, even to seem to say these things unwillingly. There will be amplification of the benefaction also, not if you simply go through the corrective actions that have been taken, but if first you amplify the degree of

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[98] Cf. Anonymous Seguerianus §113. In the first century B.C. Apollodorus of Pergamum taught that a narration was always necessary in a judicial speech; Quintilian 4.2.4 says that most rhetoricians agreed but that the view is erroneous. Extant handbooks generally advise the student to omit a narration if the facts are well known or if speaking for the defense and denying the alleged action.

[99] Cf. Heath, p. 84.

[100] Apsines here makes an unusual distinction between *diēgēsis*, narration as a standard part of a speech preceding the proof, and *aphēgēsis, aphēgematikou*, more general words for other narrative in a speech; elsewhere it is apparently found only in Rufus 23 (Sp.-Ha. I ii p. 403, 9); but compare the distinction between narration as genus and as species in Anonymous Seguerianus §52. Aristotle (*Rhetoric* 3.16.10) noted that in judicial speeches, "Narrative should occur at many places and not just at the beginning." Herodotus uses Ionic forms of the verb *aphēgeomai* to refer to telling stories such as that of Arion and the dolphin in 1.24.

[101] Cf. the anonymous scholia on invention in Walz VII p. 721, 10–13.

252 ἔπαυσεν, οἷον ὡς [ἐν τῷ Ἕρμωνι Ἀψίνης ἢ πάλιν] | ἐν ἐκείνῳ τῷ ζητήματι· γράφει τις τὸν Κόνωνα μετὰ τὴν ἀνάστασιν τῶν τειχῶν τῶν αὐτῶν τιμῶν Ἁρμοδίῳ καὶ Ἀριστογείτονι τυγχάνειν. **6.** προνοητέον δ' ἐν τοῖς τοιούτοις ὅπως μὴ πάντα ἐκκενώσῃς τὰ κατωρθωμένα ἐν διηγήσει, ἀλλὰ καὶ τοῖς κεφαλαίοις φυλάξῃς τινά· κἀκείνου δὲ προνοητέον ὅπως ἂν ἐνδιατρίβων ἐπιτρέχειν δοκῇς ἕνεκα τοῦ ἐπαχθοῦς καὶ μάλιστα ὅταν περὶ σεαυτοῦ λέγῃς. ἔσται δὲ τοῦτο, ἐὰν τὰ πολλὰ ἀσυνδέτως διάγῃς καὶ τὰ μὲν παραλείπειν λέγῃς οὐδὲν ἧττον ἐργαζόμενος αὐτά, τὰ δὲ προηγουμένως εἰσάγων.

7. Ἐν τοῖς ἐξ ἀποβάσεως ζητήμασιν (ἐξ ἀποβάσεως δὲ λέγω ὅπου ψηφίσματος ἢ νόμου ἢ ἄλλου τινὸς τοιούτου γραφέντος ἢ πραχθέντος τοιοῦτό τι ἀπέβη) ἁρμόσει σοι εἰσάγειν τὴν διήγησιν ἐξ ἀντεξετάσεως, οἷα ἦν τὰ πρότερον καὶ οἷα νῦν συμβέβηκεν, ὡς ἐπ' ἐκείνου· ἔθηκεν ὁ Λεπτίνης τὸν νόμον, οὐ πέμπει τὸν σῖτον ὁ Λεύκων καὶ κρίνεται ὁ Λεπτίνης· ἁρμόσει σοι λέγειν, "σκέψασθε τοὺς καιροὺς παρ' ἀλλήλους θέντες τούς τε πρότερον καὶ τοὺς νῦν. οὐκοῦν πρότερον μὲν τῇ παρὰ τῶν ἀγαθῶν ἀνδρῶν εὐνοίᾳ καὶ δόξῃ καὶ εὐπορίᾳ καὶ παρασκευῇ τῇ πάσῃ ἡ πόλις εὐθήνει, ὡς μὴ μόνον αὐτὴν ἔχειν τὰ
253 ἐφ' ἡμέραν, ἀλλὰ καὶ διακόσια τάλαντα | ἃ διῴκησε Καλλισθένης προσπεριγενέσθαι· τὰ δὲ νῦν ὁρᾶτε οἷα συμβαίνει διὰ τὸν νόμον". **8.** καὶ πάλιν ἐπ' ἐκείνου· Σκύθαι πόλιν ᾤκησαν, καὶ νοσούντων αὐτῶν ἀξιοῖ τις ἀφίστασθαι τῆς πόλεως· καὶ γὰρ ἐνταῦθα τῷ κατὰ ἀντεξέτασιν [Ἀψίνης] χρηστέον.

9. Ἐν τοῖς ἐξ ἀκολούθου προβλήμασιν (ἐξ ἀκολούθου δὲ λέγω

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1 del. Ha. (76) cf. 126.23, 128.24, 134.10, 136.20 | τῷ – τῷ om. *B* | Ἀψίνης del. Ha. || 2 τὸν om. *B* || 3 ἁρμοδίωνι *B* || 4 ὅπως] ὅτι *A* | ἐν ⟨τῇ⟩ *B* || 5 ⟨ἐν⟩ τοῖς *B* | φυλάξῃ *B* | κἀκεῖνον *B* || 6 ἂν om. *A*[a] | διατρίβων *B* | ἀνεπαχθοῦς *B* || 7 ὅταν μάλιστα *A* | λέγῃς om. *B* | ἔσται] γενήσεται *B* | εἰ . . . 8 διάγοις *B* || 8 ἀσυνδέτως om. *A* | παραλείπων *A*, corr. Ba. παραλιπὼν *B* || 9 αὐτά] ταῦτα *B* || 10 ζητήμασιν – ἀποβάσεως (ὁμ.) om. *A* || 11 τινος ἄλλου *B* || 12 τοιοῦτόν *B* | σοι om. *B* || 13 ⟨οἷον⟩ οἷα[1] *B* | οἷα[2] om. *B* | συμβέβηκέναι *B* || 15 σκέψασθαι *B* || 17 ⟨καὶ⟩ τῇ *A* | εὐπορίας *B* || 18 ὡς om. *A* | αὐτὴν Fi. αὐτῶν *A* αὐτοὺς *B* σῖτα Ha. (76) | ἔχει *B*[a] || 19 ἐφ'] ἀφ' *B* | διακόσια] πεντεκαίδεκα D. 20.33 || 20 προσπεριγενέσθαι *A* et D. πρὸς τὸ περιγενέσθαι *B* || 21 καὶ[1] om. B || 22 αὐτῶν om. *A*, sed vide 92.7 | ⟨αὐτοὺς⟩ ἀφίστασθαι *B* || 22.23 καὶ – ἐχρήσατο del. Ha. (76) || 23 ἀψίνης om. *B*, del. Ba. cf. 126.1, 128.24, 134.11, 136.20 | ἐχρήσατο *A*, corr. Ba. κέχρηται *B* χρήσεται Ha.

the previous misfortunes which he has redressed or the power of the enemies which he has thwarted, as in the following question:[102] After the rebuilding of the walls, someone introduces a motion that Conon should receive the same honors as Harmodius and Aristogeiton.[103] **6.** In such cases one needs to foresee how not to exhaust all the corrective actions in the narration but keep some also for the proof; one should also foresee how you might seem to hurry on without wasting time because of any troublesome result and especially whenever you are speaking about yourself. This will be the case if you describe many things without connective particles (*asyndetōs*) and if you say you are passing (*paraleipein*) over some things while none the less including them and introducing other things as the main consideration.[104]

7. In questions of result—by "result" I mean where something has come about from a decree or law or something else of the sort having been written or done—it will be fitting for you to introduce your narration from a contrast (*antexetasis*): namely, what happened before and what has happened now, as in the following: Leptines passed a law (abolishing exemptions to financial burdens on the basis of unusual service to Athens); Leukon ceases to send grain (from Pontos) and Leptines is brought to trial.[105] It will be fitting for you to say, "Consider the situations, placing that in the past and that now side by side. Now in the past the city was surely flourishing because of the goodwill and reputation of good men and because of the abundance of receipts and all the provisions, to the extent that it had not only enough for day to day needs, but also two hundred talents which Callisthenes managed were left over; but look at what now is happening because of the law." **8.** And again in the following: Scythians founded a city, and when they became sick someone suggested they should abandon the city;[106] for there too one should use the (figure) of contrast.

9. In themes of declamation based on what follows—by "what follows"

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[102] The bracketed words in the text appear to be a scribal addition citing "the Hermon declamation of Apsines" as an example.
[103] Cf. Demosthenes 20.69–70.
[104] Cf. Anonymous Seguerianus §§77 and 108.
[105] Cf. Demosthenes 20.31–33.
[106] Cf. above, 1.48, 1.54, and 1.72. The bracketed words in the Greek text appear to be another scribal addition: "For there too Apsines used the device of contrast."

ὅταν ἤτοι δεδογμένου ἤδη τινος ἢ πεπραγμένου ἄλλο ἐξῆς εἰσηγώμεθα) ἁρμόσει λέγειν ὅτι "ἤδη μὲν τὸ πλεῖστον μέρος τῆς συμβουλῆς προκατείργασται· ὅπου γὰρ τόδε καὶ τόδε πέπρακται". **10.** καὶ ἐνταῦθα σύμμετρός ἐστιν ἡ διήγησις τῶν πεπραγμένων, οἷον ὡς ἐπ' ἐκείνου· μετὰ τὰ ἐν Κυζίκῳ γράφει 'Αλκιβιάδης ἐπὶ Σικελίαν πλεῖν. ἁρμόσει γὰρ τούτῳ λέγειν ἐν τῇ διηγήσει οὕτω· "ἤδη μὲν οὖν προκατείργασται τοῦ πρὸς Σικελιώτας πολέμου τὸ πλεῖστον μέρος· ἐν οἷς γὰρ εἶχον τὰς πλείστας ἐλπίδας Συρακούσιοι Λακεδαιμονίοις, οὗτοι πῶς κακῶς διάκεινται ἐνθυμήθητε". κἀνταῦθα σύμμετρος ἡ διήγησις τῶν πεπραγμένων, καὶ πάλιν ὡς ἐπ' ἐκείνου· μετὰ τὴν νίκην ὁ 'Ερμοκράτης γράφει ἐπ' 'Αθήνας πλεῖν.

254 **11.** Ὅπου ἂν ἀδόξου προσώπου καὶ διαβεβλημένου κατη | γορῶμεν, ὡς καὶ ἄλλοις τισὶν ἄνευ τῆς γραφῆς ὑπεύθυνον δοκεῖν εἶναι, ἁρμόσει σοι τὴν διήγησιν οὐ ψιλὴν εἰσάγειν, ἀλλὰ μετὰ κατηγορίας οἷον ὡς ἐπ' ἐκείνου· ἔγραψεν ὁ 'Αριστογείτων μισθοῦ μυεῖν καὶ κρίνεται. ἁρμόσει γὰρ εἰσβαλεῖν οὕτως· "'Αριστογείτονι τούτῳ οὐκ ἤρκει τὰ ἄλλα σύμπαντα, οὐ νόμων καταλύσεις, ὑφ' ὧν κωλύεται τῆς πολιτείας, οὐ κλοπαὶ δημόσιαι, οὐ τὰ ὀφλήματα, οὐ τὸ αἰτίαν παρασχεῖν καὶ αὐτῆς τῆς ἀπορίας, ἀλλ' ἔτι καὶ τοῖσδ' ἐπετόλμησεν". **12.** ὅταν ἐνδόξου προσώπου κατηγορῶμεν, ἁρμόσει ἐν ἀρχῇ τῆς διηγήσεως καὶ δοῦναί τινα ἔπαινον αὐτῷ, οἷον, "ἐγὼ τὸν μὲν ἄλλον τἀνδρὸς οὐκ αἰτιῶμαι βίον, εἰ δὲ βούλεσθε, καὶ ἐπαινῶ τὰ πλείω, ἀλλ' ὤφελέ γε μέχρι τούτου ἵστασθαι· νῦν δ' ὑποδείξας ἀρχὴν ἐκ τοῦ πιστευθῆναι καλήν, οἷα εἰργάσατο σκέψασθε". [ὡς ἐν τῷ Λυσάνδρῳ 'Αψίνης, Λύσανδρος ἀρχὴν ὑποδείξας καλήν]· ἢ πάλιν ἐπ' ἐκείνου· ὁ Λυκοῦργος

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1 δεδογμένον *A* | τινὸς ἤδη *B* | προπεπραγμένου *A* || 4 ⟨καὶ⟩ συμμέτρως *B* | ἐστιν om. *B* || 5 ἐκείνων *A* | σικελίαν *B* σκέμαν *A* βασιλέα codd. descripti || 6 γὰρ – ἐν] μὲν οὖν *B* | οὕτω om. *B* | ἤδη om. *A* || 7 τὸ om. *A* | ἐν] ἐφ' *B* || 8 πλείστας om. *B* | ⟨οἱ⟩ συρακούσιοι *A* | λακεδαιμονίους *B* | 9 κἀνταῦθα – 11 πλεῖν del. Ha. (76) || 10 καὶ] ἢ *B* | καὶ πάλιν deleverit Ha. | ὡς om. *B* || 11 ὁ om. *A* || 12 ὅπου ἂν] ⟨ἄλλο.⟩ ὁπόταν *B* ὁπόταν Sp. | ἀδόξου] ἀδίκου *B* ἐνδόξου Ba. || 13 δοκεῖν ὑπεύθυνον *B* δοκεῖν ὑπεύθυνον δοκεῖν Sp. || 14 σοι om. *B* | οἷον om. *B* || 15 ὁ om. *A* || 17 κωλύεται] ἀπείργεται *B* || 18 τὸ] τὴν *B* || 19 αὐτῆς καὶ *A*, transp. Sp. αὐτὸν καὶ *B* || 20 ⟨δὲ μὴ⟩ ἀδόξου *B* | ⟨πάνυ⟩ κατηγορῶμεν *B* || 21 τι *B* | ἔπαινον om. *B* | αὐτῷ om. *A* | μὲν τὸν *B* || 22 βίον post ἄλλον *B* || 23 ἄχρι τούτων *B* || 24 εἰργάσαντο *A* | σκέψασθαι *A* || 24.25 del. Ba. cf. 126.1, 126.23, 134.11, 136.20 || 24 λυσάνδρου *A* || 24.25 'Αψίνης – καλήν del. Ha. || 25 λύσανδρος – καλήν om. *B* | ἐπ' – ὁ om. *B*

I mean those where we introduce some next step when something has already been decided or done[107]—it will be fitting to say that, "The greater part of the plan has already been enacted; for where this and that has been done. . . ." **10.** And here the narration of what has been done is brief, as in the following: After the events in Cyzicus Alcibiades introduces a motion to sail to Sicily.[108] In this theme it will be fitting to speak as follows in the narration: "Already the greatest part of a war against the Sicilians has been completed; for consider how badly off are the Lacedaimonians, in whom the Syracusians put their greatest hopes." Here too the narration of what has been done is brief, and again in the following: After the victory (of the Syracusans over the Athenians in 413 B.C.), Hermocrates introduces a motion to sail against Athens.[109]

11. Wherever we prosecute a disreputable character and one who has been attacked so that even to some others he seems required to give an account of himself without an indictment, it will be fitting for you to introduce a narration that is not bare but accompanied by accusation, as in the following: Aristogeiton introduced a motion to shut eyes for a price and is brought to trial.[110] It will be fitting to attack him thus: "This Aristogeiton was not content with all other things together, not with destruction of laws by which he is hindered from participation in government, not by thefts of public money, not by the fines he has incurred, not by having to give a reason for this poverty, but he has further dared to make this suggestion."[111] **12.** Whenever we prosecute a respectable person it will be fitting at the beginning of the narrative even to give some praise to him; for example, "I do not criticize the rest of the man's life, and, if you please, I even praise most of it, except that he ought surely to have stayed what he was until now; but although he made a fair beginning from being trusted, see what sort of thing he has done!";[112] or again in the following: Lycurgus is brought

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[107] Cf. above, 1.46.

[108] Cf. Hermogenes, *On Staseis* p. 68,6 ed. Rabe. The Athenian navy under Alcibiades defeated the Spartan fleet at the Battle of Cyzicus in the Hellespont in 410 B.C.

[109] Cf. above, 1.11.

[110] Cf. above, 2.13, 19; below, 5.6.

[111] Cf. Demosthenes 25.28.

[112] Cf. below, 3.29. The bracketed words that follow in the Greek text are apparently another scribal addition: "As in the 'Lysander' of Apsines, demonstrating Lysander's fair beginning."

ὁ θεὶς τὸν τῆς ξενηλασίας νόμον κρίνεται. **13.** εἰ δ' ἀμφίδοξον εἴη, ἁρμόσει αὐτὰ τὰ πεπραγμένα ψιλὰ διεξελθεῖν.

255 **14.** Ὅταν συνεχῶς πραττόμενα ᾖ τινα καὶ ἀποτροπὴν | αὐτῶν εἰσηγώμεθα, ἁρμόσει οὕτως εἰσάγειν· "ἐμὲ γὰρ καὶ πάλαι ἐλύπει τὰ πραττόμενα καὶ ἐζήτουν ἀποφυγήν τινα, οὐ μὴν ἀλλὰ τέως μὲν ἐπεῖχον". καὶ λέξεις αἰτίας δι' ἃς ἐπεῖχες· "νῦν δ' εἰς μέσον ἤνεγκα τὴν ἐμαυτοῦ γνώμην ὁρῶν εἰς ἀπέραντον μὲν ὑμῖν προχωροῦν τὸ δεινόν, συμβαίνοντα δὲ καὶ ταῦτα". **15.** ὡς ἐπ' ἐκείνου· πολλάκις ἐπὶ Κατάνην ἐρρύη τὸ πῦρ καὶ βουλεύονται περὶ μετοικισμοῦ. καὶ πάλιν· πολλάκις τις χρώμενος τοῖς τῶν ἀνδροφόνων καθαρσίοις κρίνεται φόνου. **16.** ἢ πάλιν· πολλάκις κατατρέχοντος Φιλίππου Χερρόνησον συμβουλεύει Δημοσθένης τὸν Ἰσθμὸν διορύξαι. ἀλλὰ κἂν ἐν πολλῷ τινι χρόνῳ ᾖ μεμενηκώς, ὡς ἐπὶ τῷ Περικλεῖ ὁ Ἀριστείδης ἐποίησεν.

17. Ὁπόταν τις εὖ δοκῇ ποιεῖν καὶ ἀντιλέγῃς αὐτῷ ἢ κατηγορῇς, μᾶλλον καταστάσεως χώρα ἔσται καὶ τὴν γνώμην αὐτοῦ ἐξετάσεις μεθ' ἧς ποιεῖ, ὡς ἐπὶ τοῦ βασιλέως τοῦ μετὰ τὰ Μηδικὰ πέμψαντος τῇ ἀρίστῃ τῶν πόλεων στέφανον· ἐξετάσεις γὰρ αὐτοῦ τὴν γνώμην, ὅτι συγκροῦσαι βούλεται τὰς πόλεις. **18.** ἢ πάλιν ἐπ' ἐκείνου· ἔπεμψε Φίλιππος στέφανον τῇ θεῷ μετὰ Ὄλυνθον.

256 | **19.** Ὁπόταν ἡττηθῶμεν ἐν τῇ προτέρᾳ κρίσει καὶ περὶ ἑτέρων πάλιν ἀγωνιζώμεθα, ἁρμόσει ἐν τῇ βαρύτητι ἀπολογήσασθαι καὶ ἅψασθαι τῶν δικαστῶν, οἷον εἰ λέγοις· "τὰ μὲν οὖν πρώην κεκριμένα ὅπως δήποτε εἶχεν ἀφίημι καὶ οὐ λέγω τοῦτο, ὅτι πολλὰ καὶ παραπει-

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1 ὁ om. *B* | τῆς ξενηλασίας] περὶ τῆς ξενίας *A* τεχνῶν ξενηλασίαν Plu. Lyc. 9.4 || 2 ⟨σοι⟩ ταῦτα *B* | διελθεῖν *B* || 3 ὅταν ⟨οὖν⟩ *B* | πραττομένην (ᾖ omisso) *A* || 4 πάλαι ⟨μὲν⟩ *B* || 6 ἐπεῖχες] ἐπέσχες *A* | εἰς om. *A* || 7 ἡμῖν *B* || 8 συμβαίνοντέ (sic) *A* | καὶ ταῦτα *A* τὰ καὶ τὰ *B* | πολλάκις – 10 πάλιν (ὁμ.) om. *B* || 11 κρίνεται – πάλιν om. *B* | ⟨ἢ⟩ πολλάκις *B* | καταστρέχοντος *A* || 11 Φιλ. Χερ.] ⟨τὴν⟩ χερ. φιλ. *B* || 12 συμβουλεύει Δημοσθένης] δημοσθένης γράφει *B* | διορύξαι τὸν ἰσθμὸν *B* || 13 μεμενηκός *B* | ὁ om. *A* || 14 πεποίηκεν *B* || 15 ⟨καὶ⟩ ὁπόταν *B* | δοκῇ εὖ *B* || 16 ἐξετάζεις *A*, corr. Sp. ἐξετάσεις ⟨μετὰ τὰ προοίμια⟩ *B* || 17 ποιεῖ *A* (qui interpolavit post ποιεῖ, ⟨καὶ ἀντιλέγων αὐτῷ. ἢ κατηγορεῖ μεθ' ἧς ποιεῖ⟩ cf. supra 15–16) πέμψει *B* || 18 ⟨τὸν⟩ στέφανον praeb. ante τῇ *B* || 19 συγκρούσεται *A* | ἢ] καὶ *B* || 20 στέφανον φίλιππος *B* || 21 ὁπόταν ⟨δὲ⟩ *B* | ἐν om. *B* || 22 ἐν τῇ om. *B* | βαρύτητι ⟨χρήσασθαι⟩ coni. Ba. | ⟨οἷον⟩ ἀπολογήσασθαι *B* || 23 οἷον om. *B* | οὖν πρώην] πρότερον *B* || 24 ἔσχεν *B* | τοῦτο] οὔθ' ὅτι ἐγὼ οὔθ' *B* | καὶ[2]] ἤδη coni. Ba.

to trial after implementing the law expelling foreigners (from Sparta). **13.** But if the opponent is of ambiguous reputation, it will be fitting for you to go through the bare facts of his actions.

14. Whenever certain things have continually been done and we introduce a reversal of them, it will be fitting to do so in the following way: "Even long ago what was done distressed me, and I continued to seek some way out, though in the meanwhile I refrained from action." And you will explain the causes why you were refraining: "But now I have brought my opinion to the public, seeing that trouble without measure is advancing on you and these things are resulting." **15.** As in the following: The fire (from Mount Aetna) often flowed down on Catania and they debate moving the city.[113] And again: Someone who has often used purification by human sacrifice is brought to trial for murder. **16.** Or again: When Philip repeatedly overran the Chersonese, Demosthenes advises that a canal should be dug through the Isthmus.[114] But a speaker might even have waited for some considerable length of time, as Aristeides did in his "Pericles."[115]

17. Whenever someone seems to be acting well and you speak against him or prosecute him, there will be more need for proof and you will scrutinize the intent with which he is acting, as in the case of the king who sent a crown "to the best (Greek city)" after the Median wars;[116] for you will scrutinize his intent, (suggesting) that he wishes to throw the cities into conflict. **18.** Or again in the following: Philip sent a crown to the goddess after taking Olynthus.

19. Whenever we have been defeated in a previous trial and take up an action again on other matters, it will be fitting to make an explanation in an injured tone and to seize hold of the judges, for example if you should say: "I pass over how the trial came out on the matter recently judged, and

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[113] Cf. Hermogenes, *On Invention* pp. 110,6 and 162,12, ed. Rabe.

[114] Cf. above, 1.44 and 72.

[115] Aristeides, *On the Four*, II p. 318 ed. Dindorf. Aristeides has "waited" five hundred years to answer Plato's criticisms of fifth-century B.C. statesmen.

[116] Cf. above, 2.10.

σθέντες πολλάκις ἔπραξαν δικασταὶ οὔτε δικασταὶ τὸ πρᾶγμα ἀκριβῶς ἐξήτασαν οὔτε εἰς τοῦτο φέροντες δίκαια". **20.** ἐκ δὲ τοῦ ἐναντίου αὐτῷ τούτῳ συμπεπλέχθαι καὶ λέγειν· "ἤδη μὲν οὖν μαρτύριον ἱκανὸν τῆς τούτου πονηρίας ἡ πρώην κρίσις".

21. Ὁπόταν ἀδίκημά τι μέγα τινὸς κατηγορῶμεν, οἷον τυραννίδα, ὡς εἰ Κριτίαν κρίνοντες, ἁρμόσει ἐπισημηνάμενον τὸ μέγεθος τοῦ τολμήματος ὡς οὐκ ἐφικτὸν λόγῳ, οὕτως εἰσβάλλειν εἰς τὴν διήγησιν καὶ ἔσται καθ' ὑπογραφὴν ὁ λόγος.

22. Ὁπόταν ἀδίκημά τινος κατηγορῶμεν δοκοῦν μικρὸν εἶναι, ἄξιον τοῦτο αὐτὸ ἐπισημηνάμενον, ὡς οὐ χρὴ προλαμβάνειν οὐδὲ προκαταγινώσκειν τοῦ ἀγῶνος ὡς περὶ μικρῶν, ἀλλὰ περιμένειν τὴν ἀκρόασιν, οὕτω διηγεῖσθαι.

23. Ὁπόταν πάθος τι μέλλωμεν διεξιέναι, οἷον λοιμώδη φθορὰν
257 ἤ τι τοιοῦτον, ἁρμόσει ἐπισημηνάμενον ἐν κατα | στάσει, ὡς ἔστιν οἰκτρὰ καὶ ἀνιαρὰ τὰ ῥηθησόμενα, ἀναγκαῖα δέ, οὕτως εἰσβάλλειν εἰς τὴν διήγησιν, εἶτα προάγειν δι' ὑπογραφῆς τὸν λόγον· ταῖς γὰρ ὑπογραφαῖς μάλιστα τὰ πάθη χαίρει ἐν ταῖς διηγήσεσι. μὴ πειρῶ εἰς τὰ καθ' ἕκαστα καθιέναι (εἰ δὲ μή, εἰς εὐτέλειαν ἐκπεσεῖται ὁ λόγος), ἀλλὰ τὰ μὲν προφανῶς εἰπὲ ἐν εἴδει, τὰ δ' ἐν γένει· ἔνια δὲ καὶ ἀποσιωπᾶν καὶ παραλείπειν.

24. Ὁπόταν ἀτόπου τινὸς συμβαίνοντος εἰσηγῆταί τις τρόπον ἐπανορθώσεως, αὐτὸς μὲν οἷα τὰ συμβαίνοντα διηγήσεται, ὁ δ' ἀντιλέγων αὐτῷ τὸν τρόπον τῆς ἐπανορθώσεως μέμφοιτο, πῶς προκαταστήσεται, λέλεκται. φήσει γάρ, ὅτι "ἐγὼ μὲν τοῦτον προσεδόκων λέξειν εἰς ἐπανόρθωσιν τῶν δυσχερῶν, οἷα καὶ ὑμῶν ἤκουον τῶν πλείστων,

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1 ἔπραξαν] ἔγωσαν *B* | δικασταὶ² – 2 οὔτε om. *B* || 2 ⟨τὰ⟩ εἰς . . . φέροντα *B* | εἰς – δίκαια susp. Ha. | φέρω Ha. (76) | ⟨τὰ⟩ δίκαια Ha. (76) || 3 αὐτὸ τοῦτο *A* || 3.4 ἱκανὸν μαρτύριον *B* || 4 πρώην] πρώτη *B* || 5 ὁπόταν] ὅπου ἂν *B* | μέγα] κατὰ *A* || 6 κρίνοις ⟨ἢ ἀσέβειαν⟩ *B* | ἐπισημηναμένῳ *A* sed vide 10, 14 || 7 οὐκ – λόγῳ] ἔφην *B* | εἰσβαλεῖν *B* || 10 προσλαμβάνειν *B* || 11 καταγινώσκειν *A* || 13 τι om. *B* | διεξιέναι μέλλωμεν *B* | οἷον om. *B* | λοιμώδη φθορὰν] λοιμὸν ἢ νόσον *B* || 14 προεπισημηνάμενον *B* || 15 εἰσβαλεῖν *B* || 16 προσαγαγεῖν *A*, corr. Ba. τότε λέγειν *B* προαγαγεῖν Sp. || 17 ⟨μέντοι⟩ εἰς *B* || 18 μή ⟨γε⟩ *A* || 19 εἰπὲ om. *B* | κατ' εἴδη *B* || 20 καὶ Sp. ⟨δεῖ⟩ καὶ *B* ἢ *A* | παραλιπεῖν ⟨δοκεῖν⟩ *B* || 21 συμβαίνοντος – ἐπανορθώσεως om. *B* || 22 ⟨καὶ⟩ αὐτὸς Ba. | συμβάντα *B* | διηγήσονται et 23 μέμφηται W. qui omisit 21 συμβαίνοντος – ἐπανορθώσεως || 24 ὅτι – προσεδόκων] ὁ πότε μὲν προσεδόκων τοῦτον *B* || 25 εἰς] πρὸς *B* | οἷον *B* | ἤκουον τῶν] ἀκουόντων *A* | πλείστων ⟨λεγόντων⟩ *B*

I do not remark that judges often did many things when they were misled and did not bring justice to bear in this case." **20.** And weave into this same statement something about the opponent and say, "The recent trial is already sufficient indication of this man's wickedness."

21. Whenever we attack someone's great injustice, for example tyranny, as if bringing Critias to judgment, after having shown the greatness of his daring as something not to be expressed in words, it will be fitting to proceed to the narration in a similar way and the speech will have a quality of graphic description (*hypographē*).[117]

22. But whenever we attack what seems to be a small injustice of someone, after having shown that it is not necessary to jump to a conclusion nor to prejudge the trial as being about minor matters but to wait to hear what we have to say, it is worthwhile to proceed to the narration in a similar way.

23. Whenever we are going to describe some suffering, such as a destructive pestilence or anything of the sort, it will be fitting to have remarked in the statement of the case (*katastasis*) how what is going to be described is pitiable and grievous, though necessary (to be stated), and in this way to jump into the narration and then to continue the speech with graphic description; for the emotions take pleasure in graphic descriptions in narration. Do not try to enter into every detail—otherwise the speech will fall into cheap emotionalism—but speak of some things clearly by species, others by genus. In the case of some things, say you prefer to be silent or pass them over.[118]

24. Whenever, after something undesirable has happened, someone introduces a means of correcting it, he himself will describe the (anticipated good) results, while the one opposing him would find fault with the means of correction; how this will be treated in the prokatastasis has been said.[119] (The opposing speaker) will say, "I expected him to be going to speak for the purpose of correcting difficulties, which is what I heard most of you

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[117] On *hypographē*, "graphic description," see below, 3.23 and 27.
[118] I.e., use the figures *aposiōpēsis* and *paraleipsis*.
[119] Cf. above, 2.17–19.

καὶ αὐτὸς αὐτίκα δὴ λέξω· ὁ δ' οἷα εἰσηγήσατο, ὁρᾶτε".

25. Ὅλως δὲ καθόλου τῶν διηγήσεων αἱ μέν εἰσι παθητικαί, αἱ δ' ἠθικαί, αἱ δὲ σφοδραί, αἱ δὲ πάνυ ἐν βαρύτητι, αἱ δ' ἐγκωμιαστικαί, αἱ δὲ μέσαι. τῶν δὲ μέσων αἱ μὲν δημόσιαι, αἱ δ' ἰδιωτικαί. **26.** αἱ μὲν οὖν ἐγκωμιαστικαὶ καὶ εὐεργεσιῶν διέξοδον ἔχουσιν· αὗται τοίνυν πομπικώτεραι καὶ πανηγυρικώτεραι· πρόσεστι δ' αὐταῖς
258 τὸ | ἐπαχθές· τοῦτο τοίνυν ἐπανορθωτέον ἢ διὰ τῶν προπαραιτήσεων ἢ διὰ τοῦ ἀναγκαῖον δεικνύναι τὸν λόγον τὰ πολλὰ προσποιούμενον παραλείπειν ἢ ἐξ ἀναιρέσεως τὰ πολλὰ εἰσάγοντα, ἢ ἀσυνδέτως· τάχους γὰρ φαντασίαν ποιεῖ τὸ σχῆμα ἤγουν τὸ κατ' ἐπιδρομήν, [ὡς ἔφη Ἀψίνης ἐν τῷ κατὰ Μειδίου γεγενῆσθαι, ἐπειδή περ ἔμελλεν αὐτὸν ἐγκωμιάσειν].

27. Αἱ παθητικαὶ διηγήσεις οὐ πολὺν ἔχειν ὀφείλουσι κόσμον· ἐκλύουσι γὰρ τὸ ἐναργὲς τοῦ πάθους. χρήσιμοι γὰρ ἐν αὐταῖς καὶ αἱ διαπορήσεις· "τί χρή, σιγᾶν ἢ λέγειν;" καὶ οἱ μελλησμοί· "ἐγὼ μὲν καὶ πρὸς αὐτῷ καθιστάμενος τῷ πάθει ἀναχωρῶ καὶ διαμέλλω". χρήσιμοι δ' ἐν αὐταῖς καὶ ⟨αἱ⟩ ἀντεξετάσεις τῶν [προτέρων] προγεγενημένων εὐπραγιῶν, καὶ ὅτι ⟨οὐκ⟩ ἔδει μὲν ἄχρι τούτων προελθεῖν, λέγειν δ' ἀνάγκη. καὶ τὸ διὰ μέσου γενόμενον τῆς ἀφηγήσεως ἀποσιωπήσει χρήσασθαι· "οὐκέτ' ἂν δυναίμην τὰ πλείω λέγειν". χρήσιμοι δ' ἐν αὐταῖς καὶ οἱ σχετλιασμοὶ καὶ αἱ ἐπαναλήψεις "Θῆβαι δὲ Θῆβαι". χρήσιμοι δὲ καὶ αἱ ὑπογραφαί· ὑπογραφὰς δὲ λέγω τὰ τοιαῦτα, "οἰκίας κατεσκαμμένας, τείχη περιηρημένα". ταῦτα γὰρ ὑπογραφικὰ καλεῖται.

| **28.** Αἱ σφοδραὶ διηγήσεις μάλιστα κατὰ τῶν ἀδόξων γίνονται.
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1 αὐτὸς ⟨μὲν⟩ *B* | λέγω *B* | ὁ δ' οἷα] ὁποῖα *B* || 2.3 αἱ δ' ἠθικαί om. *B* || 3 πάνυ om. *B* || 4 τῶν δὲ] καὶ τούτων τῶν *B* || 5 καὶ ⟨δι'⟩ *B* καὶ del. Sp. || 6 τοίνυν ⟨εἰσὶ⟩ *B* || 8 διὰ τὸ *B*, corr. Fi. τῷ *A* | τὰ πολλὰ om. *B* || 8.9 ⟨καὶ⟩ παραλιπεῖν προσποιούμενον *B* || 9 ⟨καὶ⟩ εἰσάγοντα *B* || 10 τάχους *B* (cf. 7.1030.20 W.) τάχιον *A* | ἢ *A* | τὸ²] τῷ Ba. || 10.12 del. Ba. cf. 126.1, 126.23, 128.24, 136.20 || 12 αὐτὸν] Ἀλκιβιάδην Ba. | ἐγκωμιάζειν *B* || 13 αἱ ⟨δὲ⟩ *B* || 14 γὰρ² om. *B* | ἐν] δ' *B* || 15 ⟨ἀπορῶ⟩ τί *B* | σιγᾶν] εἰσάγειν *B* | μελησμοί *A* | μὲν om. *B* || 17 add. Ba. | del. Sp. || 17.18 προγεγενημένων om. *B* πρότερον γεγενημένων coni. Ha. || 18 ὅτι del. Ha. | add. Ha. | ⟨ἐξεῖναί τι⟩ προελθεῖν *B* || 20 ἀποσιωπῇ *B* || 21 ἐν om. *B* | σχετλιασμοὶ] διπλασιασμοὶ *B* σχετλιασμοὶ ⟨φεῦ καὶ οἴμοι⟩ coni. Ha. || 22 λέγω δὲ ὑπογραφὰς *B* || 23 οἰκίαι κατεσκαμμέναι *A* | ταῦτα – 24 καλεῖται del. Ha. (76) | ὑπογραφὴ *B* (per compendium) || 25 ἐνδόξων *A* | *post* ἀδόξων add. προσώπων *B*

also (expecting), and I myself shall forthwith speak about that. But see what sort of measures he has proposed!"

25. Taken as a whole, some narrations are pathetical, some ethical, some vehement, some much aggrieved, some encomiastic, some intermediate. Of the intermediate, some are narratives of public affairs, some of private. **26.** Some, as I say, are encomiastic and they give a detailed account of good works; these then are rather stately and panegyrical but there is in them something tiresome. This then should be counteracted either by apology in advance or by showing that the account is necessary while claiming to leave out much or by introducing many points as confutation (of what an opponent claims), or (by listing items) without connecting particles; for this figure[120] creates an impression of swiftness or at least of moving on.[121]

27. Pathetical narrations ought not to have much adornment; for (adornments) destroy the clarity of the emotion. *Diaporēseis*[122] are also useful in them: "What should I do? Be silent or speak?" And *mellēsmoi*:[123] "Even as I stand before him I yield to emotion and delay (speaking the details)." Also useful in them are contrasts (*antexetaseis*) of previous good deeds, and (saying) that there was no need up to now to come forward, but (now) it is necessary to speak out. And (the speaker) will break off in the midst of his account (*aphēgēsis*), (saying) "I can no longer say the rest." And expressions of indignation (*skhetliasmoi*) and repetitions (*epanalēpseis*) are useful in them, (for example) "But Thebes, Thebes!"[124] Useful too are graphic descriptions.[125] By "graphic descriptions" I mean such things as "Houses raized, city walls leveled."[126] Such things are called "*hypographai*."

28. Vehement narrations occur especially in speaking against persons of

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[120] I.e., asyndeton.

[121] The passage bracketed in the Greek text is apparently another scribal addition: "As Apsines said happened in the speech against Meidias, when (Demosthenes) was going to praise him." "Him" refers to Alcibiades; cf. the asyndeton in Demosthenes 21.143: "not family, not wealth, not power."

[122] *Diaporēsis* is a figure of thought in which the speaker claims to be at a loss; cf. below, 10.52, and Alexander, *On Figures* 1.21.

[123] *Mellēsmos* is a figure of thought in which the speaker expresses hesitation.

[124] Aeschines 3.133.

[125] *Hypographai*; cf. above, 2.21.

[126] Demosthenes 19.65.

εἰσάγονται δ' οὐ ψιλαί, ἀλλὰ πολλάκις μετὰ κατηγορίας ὅταν μὴ μόνον εἴπωμεν τὸ κρινόμενον, ἀλλὰ καὶ τὸν ἄλλον βίον τοῦ κρινομένου. κατηγορήσομεν δὲ συμμέτρως· ἐναγώνιον γὰρ δοκεῖ τοιοῦτο. καὶ κατὰ ἀναίρεσιν ἐνίοτε αὐτὰ εἰσάξομεν· "οὐ λέγω τόδε οὐδὲ τόδε". ἐνίοτε δὲ καὶ ἀξιοπιστίας ἕνεκα καὶ παραλείπειν ἔνια προσποιησόμεθα διὰ τὸ πλῆθος τῶν ἐνόντων εἰπεῖν, καὶ οὐχ ἁπλῶς λέξομεν ἃ τετόλμηκεν, ἀλλὰ καὶ τὴν διάνοιαν προσεξετάζοντες. ἁρμόσει δ' ἐν ταῖς τοιαύταις τὰ ἀποστατικὰ σχήματα καὶ ὅσα ἀκμαῖα· καὶ τὰ εἰς ἀρχὴν ἀνάγοντα εἰσάγειν ἁρμόσει· αἱ δ' ὑπογραφαὶ τῶν τετολμημένων χρήσιμοι· καὶ μὴ ἀνεπισημάντως προσβάλῃς, ἀλλ' ἐν καταστάσει τὸ μέγεθος ἐπισημηνάμενος.

29. Αἱ ἠθικαὶ διηγήσεις διχῶς νοοῦνται, ἢ ὡς ἐσχηματισμέναι ἢ ὡς ἦθος ἔχουσαι ὑφειμένον. καὶ περὶ μὲν τῶν ἐσχηματισμένων κάλλιον ἐν τῷ περὶ προκαταστάσεως λέλεκται· αἱ δ' ὑφειμέναι διηγήσεις, ὅταν ἢ πρὸς οἰκεῖον πρόσωπον ἢ ἔνδοξον γίνωνται. ἐν ταύ | ταις
260 προσκατηγορίας μὲν οὐ σφόδρα καιρός· αὐτὰ δὲ τὰ πράγματα δεῖ λέγειν ἢ τοῦ προσώπου προσάπτεσθαι καί τι καὶ δοῦναι τὴν πρώτην τῷ ἀντιδίκῳ καὶ ἐπαινέσαι, οἷον "ἐγὼ τὸν μὲν ἄλλον βίον τἀνδρὸς οὐκ αἰτιῶμαι, ἀλλὰ καὶ ἐπαινῶ τὰ πλείω, πλὴν ἀλλ' ὤφελέ γε ἄχρι τούτου ἵστασθαι". [ὡς ἐν τῷ Λυσάνδρῳ Ἀψίνης ἠθικῶς ἥψατο τῆς διηγήσεως μάλα τὴν πρώτην ἐπαινέσας· ἔνδοξον γὰρ ἦν τὸ πρόσωπον.] **30.** ὅταν δὲ τὸ μὲν πρᾶγμα ἄδοξον ᾖ, τὸ δὲ πρόσωπον ἔνδοξον ἢ τοὔμπαλιν ἀτελὲς τὸ ἦθος· ὅταν δ' ἀμφότερα δοκοῦντα ἔνδοξα, πλεῖον τὸ ἦθος καὶ ἡ ἀπαγγελία ἐνταῦθα ἐπιμελεστέρα. **31.** καὶ αἱ παραιτήσεις χρήσιμοι γίνονται. ἐνίοτε δ' οὐ διηγητέον ἐν τοῖς τοιούτοις·

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2 τὸ] τὸν *B* || 2.3 κρινομένου παρακατηγορήσωμεν· συμμέτρως δὲ *B* κρινομένου, παρακατηγορήσομεν δὲ Sp. κρινομένου ⟨παρακατηγορήσωμεν⟩· κατηγορήσομεν δὲ Fi. || 3 ἐξαγώνιον *A* | ⟨τὸ⟩ τοιοῦτον δοκεῖ *B* || 4 ἐνίοτε ⟨δὲ⟩ *B* | τόδε] δὲ *B* | οὐδὲ] οὐ *A* || 5 καὶ[2] om. *B* | παραλιπεῖν *B* || 8 τὰ om. *B* | ἀκμαῖα] ἀναγκαῖα *B* | καὶ ⟨γὰρ⟩ Sp. || 9 δ' ὑπογραφαὶ] τε ἀρχαὶ *B* || 10 προανεπισημάντως *A* | προβάλῃς *B* || 11 τὸ μέγεθος del. Ba. | ἐπισημαινόμενος *B* || 12 ⟨δὲ⟩ διηγήσεις *B* || 14 καταστάσεως *A* || 15 ἢ ⟨πρὸς⟩ ἔνδοξον πρόσωπον *B* | γίνονται *B* || 16 ⟨γὰρ⟩ παρακατηγορίας *B* | σφόδρα] πάντα *B* || 17 ⟨μᾶλλον⟩ ἢ *B* | τῶν προσώπων *B* || 19 καὶ om. *B* | ὄφελέ *A* | γε del. Sp., sed vide 128.22 | ⟨καὶ⟩ ἄχρι *A* || 20 τούτων *B* | del. Ba. cf. 126.1, 126.23, 128.24, 134.11 || 21 μάλα – ἐπαινέσας] καταχρηστικῶς δὲ τὴν πρώτην ἐπῄνεσεν *B* || 22 δὲ[1]] οὖν *B* || 23 ἢ om. *A* | τοὔμπαλιν] τοῦ β' πάλιν *B* | δοκοῦντα ⟨εἶναι⟩ *B* || 24 ἐπαγγελία *B* || 25 προπαραιτήσεις *B* | γίνονται om. *B* | οὐ] οὐδὲ *A*

bad reputation and are introduced not as bare narratives but often with a personal attack whenever we discuss not only what is under judgment but the rest of the life of the person being judged. But we shall attack with moderation; for such treatment seems suitable for legal contests. And sometimes we shall introduce attacks with a denial: "I am *not* saying this or that (but I am saying something else)." Sometimes too for the sake of credibility we shall affect to pass over some things because of the number of ones that can be mentioned, and we shall speak not just of the rash things he has done but examining also his intent. In such cases, apostatic figures[127] will be fitting and whatever indicates a special effort. And it will be fitting to introduce things that lead up to the beginning (of the actions narrated). And graphic descriptions of rash deeds are useful. And do not deliver an attack without signaling it in advance but after remarking on the greatness (of the offenses) in the statement of the case.

29. Ethical narrations are thought of in two ways, either as figured or as having an underlying ethos. "Figured" themes have been discussed well enough in the chapter on prokatastasis.[128] Narrations have an underlying ethos whenever they relate to our own character or that of a reputable person. In the latter cases there is not much opportunity to add in accusation; one should say that the actions themselves relate to the character of the doer and how (they relate), and should give way for the present to the opponent and praise (him), (saying) for example, "I find no fault with the rest of the man's life but even praise the greater part, except that he surely ought to have stayed what he was up to this point."[129] **30.** But whenever the subject is disreputable while the person is reputable, or the opposite, the ethos is indeterminate, and whenever both seem reputable, ethos is a greater factor and the description in that case is more careful. **31.** Deprecations (*paraitēseis*) are also useful. But sometimes a narration should be omitted

[127] Speaking in detached words or phrases rather than in grammatically complete form; cf. Pseudo-Aristeides 1.11–16 where the technique is regarded as creating solemnity.

[128] Cf. above, 1.16 and 2.17–18.

[129] Cf. 3.12 above. The bracketed words that follow in the Greek text are apparently another scribal addition: "As in his 'Lysander' Apsines began the narration by praising (the subject) greatly; for his character was reputable." Lysander was the Spartan general at the end of the Peloponnesian War who set up the government of the Thirty Tyrants in Athens.

αἱ γὰρ περὶ μεγάλων ἀφηγήσεις ἐν τοῖς δημοσίοις καὶ κόσμου μετέχουσι πλείονος καὶ κατὰ πλαγιασμὸν εἰσάγονται καὶ κατ' ἐμβολὰς προαναιροῦνται.

4. ΠΕΡΙ ΛΥΣΕΩΝ ΚΑΙ ΑΝΤΙΘΕΣΕΩΝ

1. Τῶν ἀντιθέσεων αἱ μέν εἰσιν ἔντεχνοι, αἱ δ' ἄτεχνοι. ἄτεχνοι μὲν οὖν ὅσαι ἢ ἀπὸ γεγονότων ἢ ἀπὸ ἐγγράφων τίθενται. ἀπὸ γεγονότων μὲν ὡς ἐκεῖναι ὅσαι ἀπὸ παραδειγμάτων, οἷον ὡς ἐν τῷ κατὰ
261 Μειδίου· "ἀπήγ | γελλε τοίνυν τίς μοι περιϊόντα αὐτὸν συλλέγειν καὶ πυνθάνεσθαι, τίσι πώποτε συμβέβηκεν ὑβρισθῆναι καὶ λέγειν τούτους καὶ διηγεῖσθαι πρὸς ὑμᾶς μέλλειν, οἷον τὸν πρόεδρον" καὶ τὰ ἑξῆς· ἀπὸ ἐγγράφων δέ, ὅταν ἢ νόμος ἢ ψήφισμα ἡμῖν ἀντιτεθῇ. ἄτεχνοι δ' αἱ τοιαῦται καλοῦνται, διότι οὐκ ἐξ ἰδίας ἐπινοίας εὑρίσκει ταύτας ὁ ῥήτωρ, ἐξ ὡρισμένων δὲ καὶ γεγονότων ἔχει τὴν ὕλην. **2.** ἔντεχνοι δὲ καλοῦνται, ὅσας αὐτὸς ὁ ῥήτωρ εὑρὼν ἀντιτίθησιν ἡμῖν, οἷον ὡς ἐν τῷ πρὸς Λεπτίνην· ἀλλά, νὴ Δία, φήσει ὡς "ἐκ τοῦ νόμου τούτου λειτουργήσουσιν οἱ πλουσιώτατοι". ὡς ἐπὶ τὸ πλεῖστον δ' αἱ ἄτεχνοι ἰσχυρότεραί εἰσι τῶν ἐντέχνων. διὰ τί; ὅτι αἱ μὲν ἀφ' ὡρισμένων

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1 γὰρ om. *B* | ⟨οἷον⟩ ἐν *B* | ταῖς δημοσίαις *A* | καὶ om. *A* || 4 tit. λύσεων καὶ om. *B* καὶ del. Sp., sed vide 146.11 λύσεως ἀντιθέσεων coni. Sp. περὶ ἀντιθέσεως Ald. || 5 ἄτεχνοι[1] . . . ἔντεχνοι *B* || 7 οἷον om. *B* || 8 περιόντα *A* et codd. D. (SAYP[a]) | συλλέγειν καὶ om. *B* || 9 τίσι – 10 μέλλειν *B* et D. om. *A* | οἷον *B* ἕως, ὦ δικασταί, *A* οἷον, ὦ ἄνδρες ἀθηναῖοι D. | ἐφεξῆς *B* || 11 νόμοι *A* || 12 ταύτας] αὐτὰς *B* || 14 αὐτὸς om. *B* | εὑρὼν ὁ ῥήτωρ *B* || 15 φήσει] φ' *B* || 16 λειτουργοῦσιν *A* λητουργήσουσιν D. || 17 διὰ τί om. *B*

in such cases; for recountings of great deeds in public life also involve greater ornamentation and (references to them) are (best) introduced obliquely and are refuted by inserting references early in the speech.[130]

Something may be lost at this point. Apsines suddenly begins discussion of the pistis, or proof, as a part of an oration, but without any introductory remarks such as are found in the cases of other sections of a speech. In discussing refutation before demonstration he may be reflecting the system of progymnasmata as found in the handbooks of Theon, pseudo-Hermogenes, Aphthonius, and Nicocles, where the student is taught how to refute a thesis before practicing how to support one on the assumption that it is an easier exercise.

Chapter 4: On Objections and How to Refute Them[131]

1. Some objections (*antitheseis*) are artistic, some non-artistic.[132] "Non-artistic" are those posited from things that have happened or things that have been written. Those drawn from what has happened include those from examples; as in (Demosthenes') speech *Against Meidias*: "Someone tells me that he is going around gathering information and asking who has at some time happened to be insulted and that these people, among them the chairman of the prytany, are going to speak (on his behalf) and to give an account to you," and so on.[133] And from written sources whenever either a law or a decree is opposed to us. Things of this sort are called "non-artistic" because the speaker does not invent them from his own thought, but takes the material from what has been defined and what has taken place. **2.** Those are called "artistic" which the speaker himself has invented and sets out against us; for example, in (Demosthenes') *Against Leptines*: But, by Zeus, (my opponent) will say that "the richest citizens will pay liturgies as a result of this law."[134] Thus, for the most part, non-artistic objections are stronger than artistic. Why? Because the former are taken from things that have been defined

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[130] I.e., a narration should be avoided in attacking persons of distinguished reputation when this would be an account of their great deeds and thus require an elevated rhetorical treatment; it is better to refer to these deeds indirectly and to insert occasional remarks that tend to deflate them.

[131] Literally, "on refutations and objections," but the chapter discusses *lysis*, or refutation, of an *antithesis*, an objection or evidence on which the opponent relies or may rely and which the speaker needs to counter in some way. Refutation more generally will be discussed in the next chapter.

[132] Cf. Aristotle's distinction between artistic and inartistic proof, *Rhetoric* 1.2.2; by the latter Aristotle meant direct evidence not invented by the speaker, including the testimony of witnesses and written contracts. On inartistic proofs, cf. below, 9.21. For *antithesis* as "objection," cf., e.g., *Scholia Demosthenica* 1.5.36b ed. Dilts; pseudo-Aristeides, *Rhetoric* 1.103; Hermogenes, *On Style* pp. 238.6–15 ed. Rabe, etc.

[133] Demosthenes 21.36.

[134] Demosthenes 20.18.

πραγμάτων λαμβάνονται καὶ σχεδὸν ὡμολογημένων, ταύτας δ' εὕρηκεν ὁ ῥήτωρ καὶ δεῖ αὐτὰς κριθῆναι. **3.** χρὴ δὲ τὰς μὲν ἰσχυρὰς ἀντιθέσεις (ἰσχυρόταται δέ εἰσιν αἱ συνεκτικώταται τοῦ ἀντιδίκου) προδιαβάλλοντα εἰσάγειν ὡς μεμηχανημένας καὶ ἀδόξοις τοῖς ὀνόμασι [καὶ] ὡς μάλιστα πειρᾶσθαι αὐτὰς ἀσθενῶς εἰσάγειν ἢ προσθέντα τι ὄνομα ἄδοξον ἢ ⟨ἔνδοξον⟩ ἀφελόντα, οἷον ὡς ἐπ' ἐκείνου· οἱ νησιῶται πωλοῦσι τὰ γένη καὶ οὕτω πέμπουσι τὸν φόρον, καὶ
262 βουλὴ πρόκειται. ἐνταῦθα τί ἐστι τὸ συνεκτικώτατον | τοῦ ἀντιδίκου; τὸ συμφέρον. σὺ οὖν πῶς ἂν εἰσάγοις τὴν ἀντίθεσιν; "ὃν τοίνυν αἴσχιστον εὑρήκασι λόγον καὶ οὐδαμῶς τῇ πόλει πρόσφορον, ἐκεῖνό ἐστι· τὸ ἀπὸ χρημάτων κέρδος προτείνονται ὥσπερ δέλεαρ, ἀλυσιτελὲς ὂν τὸ τούτων ἀποστῆναι". **4.** αἱ δ' ἀσθενεῖς ἀντιθέσεις καὶ ἁπλούστερον εἰσάγονται ἐνίοτε καὶ ἐξ ἀναιρέσεως, ἐὰν παρέλκωσιν· "οὐ γὰρ ἐκεῖνό γ' ἔστιν εἰπεῖν". ἐνίοτε δὲ καὶ ἰσχυραὶ ἀντιθέσεις ἁπλῶς καὶ ἐκ προφανοῦς εἰσάγονται, ὅταν πάνυ θαρρῶμεν τῇ λύσει καὶ ᾖ ἀξιόπιστον τοῦτο.

5. Τίθενται δὲ πᾶσαι αἱ ἀντιθέσεις τριχῶς· ἢ γὰρ αὐτὰς τὰς ἀντιθέσεις τίθεμεν (ἤτοι τὰς προτάσεις τῶν ἀντιθέσεων καθ' ἑαυτὰς ὡς ἀντιθέσεις προστίθεμεν) ἢ ταῖς προτάσεσι τὰς κατασκευὰς συνάπτοντες οὕτω τίθεμεν τὴν ἀντίθεσιν ἢ τὰ ἑπόμενα τῇ ἀντιθέσει τίθεμεν. ἀντιθέσεις μὲν οὖν τίθενται οὕτως, ⟨***⟩ ὡς ἐν τῷ τῆς Παραπρεσβείας· "δεινὰ ποιεῖς, ὦ Δημόσθενες, τῶν συμπρέσβεων κατηγορῶν"·

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1 ὁμολογουμένων *B* | ταύτας – 2 ῥήτωρ] τὰς δὲ αὐτὸς ὁ ῥήτωρ εὕρηκε *B* || 4 ὡς] μὴ cod. G | μεμηχανημένοις *B* (per compendium) || 5 del. Sp. | ἀσθενῶς αὐτὰς *B* || 6 add. Ha. (76) | ἐν ἐκείνῳ *B* | ἐκείνου ⟨οἷον⟩ *A* || 7 γένη] τέκνα Hermog. || 8 τί ⟨μάλιστα⟩ *B* || 9 ἂν om. *A* || 10 τῇ – πρόσφορον] τρὸς τρόπον τῇ πόλει *B* || 11 ⟨τῶν⟩ χρημάτων *B* || 11.12 ⟨ὡς⟩ ἀλυσιτελὲς *B* || 13 ἁπλούστεραι *A*, corr. Fi. ἁπλοϊκώτερον *B* | ⟨δὲ⟩ καὶ *B* || 14 ἐκεῖνος ἐστιν *B* | δὲ om. *B* || 15 ἁπλοϊκῶς *B* | καὶ om. *A* || 16 ᾖ] ἔχῃ *A* | ἀξιοπιστίαν coni. Ha. || 17 πᾶσαι] πολλαχῶς *B* | τριχῶς· ἢ] τεταρχῇ *B* || 18 ἤτοι] τουτέστιν ἢ *B* ἤγουν Sp. | ἑαυτὰς] αυτὰς (sic) *B* || 19 τίθεμεν *B* || 21 τίθεμεν ⟨μετὰ τῶν προτάσεων καὶ τῶν κατασκευῶν ἢ χωρὶς τὴν πρότασιν καὶ τὴν κατασκευὴν ἰδίαν ἑκατέραν ὡς ἀντίθεσιν προσποιούμενοι⟩ *B* | lac. notavit Sp., qui add. post οὕτως ⟨αὐτὴ δὲ ἡ ἀντίθεσις τίθεται,⟩

and are almost agreed, while the orator has invented the latter and they need to be judged. **3.** It is necessary to introduce strong objections—and the strongest are those that are most inclusive of the opponent's case[135]—by attacking them in advance as contrived and by use of unseemly names[136] to try to bring them up in as weak a form as possible, either prefixing some unseemly word or displacing an honorable one, as in the following: The islanders are selling their children and thus (get money to) send their tribute,[137] and the policy is public knowledge. What argument is most inclusive of the opponent's case? Expediency. How would you then introduce a reply (to the claim of expediency)? (You would say,) "The argument they have invented is the one most shameful and least advantageous to the city;[138] they allege profit from monetary transactions as their inducement, since it is unprofitable to abstain from these actions." **4.** Weak objections are sometimes introduced more simply and by direct contradiction, if they take something away (from the opponent's argument): "That is something that cannot be said." But sometimes even strong objections are introduced simply and clearly, whenever we feel very bold in our refutation and it is worthy of credence.

5. All objections are posited in one of three ways; for either we state the objection—or perhaps we add the propositions of the objections by themselves as objections—or we state the objection by joining supporting reasons to the propositions, or we state what logically follows the objection.[139] Objections, then, are stated in this way, (first, by stating the objection) as in (Demosthenes') speech *On the False Embassy*: "You are doing dreadful things, O Demosthenes, in accusing the (other) envoys."[140] Then the refutation, that "It was necessary for me (to do this) because of the rash deeds of the envoys and in order not to seem to share in them." Then the supporting

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[135] They are the central question at issue, or as in the case of Demosthenes 19 cited below, the objection questions the right of the prosecution to bring any charge.

[136] In the following example, actions which one side calls expedient are called shameful by the opposition.

[137] Cf. Hermogenes, *On Invention*, p. 108,1 ed. Rabe. The historical situation is the fifth century B.C. when the islands of the Aegean were forced to pay tribute to Athens.

[138] There is a pun here on *phoron*, tribute, and *prosphoron*, advantageous.

[139] Manuscript *B* here interpolates the words "with the proposition and the arguments or we separate the proposition and its own argument as though the latter were another objection."

[140] Cf. Demosthenes 19.188, where the orator quotes his opponent as saying "But what would you say about Demosthenes, who is prosecuting the envoys?"

εἶτα ἡ λύσις, ὅτι "ἀναγκαῖον ἦν μοι διὰ τὰ τετολμημένα τοῖς πρέσβεσι καὶ διὰ τὸ μὴ δόξαι κοινωνεῖν αὐτοῖς"· εἶτα ἡ κατασκευὴ τῆς ἀντιθέσεως. ἡ ἀντίθεσις, "ποῦ ἅλες; ποῦ τράπεζα; ποῦ σπονδαί;" εἰ
263 γὰρ δεινὸν τὸ συμπρέσβεων | κατηγορεῖν, τί τούτου κατασκευαστικόν; τὸ μήτε ἁλῶν μήτε σπονδῶν φείσασθαι. εἶτα πάλιν πρὸς τοῦτο ἡ λύσις.

6. Συνάπτεται δ' ἀντιθέσει κατασκευὴ τῆς ἀντιθέσεως ἐπ' ἐκείνου· "εἰ δέ τις ὑμῶν δυσπολέμητον οἴεται Φίλιππον εἶναι". μέχρι τούτου ἡ ἀντίθεσις, εἶτα ἡ κατασκευὴ τοῦ δυσπολεμήτου· "ὁρῶν τό τε πλῆθος τῆς ὑπαρχούσης αὐτῷ δυνάμεως καὶ τὸ τὰ χωρία πάντα προειληφέναι".

7. Ἑπόμενον δ' ἀντιθέσει ὡς ἐν τῷ κατ' Ἀνδροτίωνος· "ὡς οὐχ ἡ βουλὴ γέγονεν αἰτία τοῦ μὴ πεποιῆσθαι τὰς ναῦς, ἀλλ' ὁ τῶν τριηροποιῶν ταμίας ἀποδρὰς ᾤχετ' ἔχων πέντε ἡμιτάλαντα". εἶτα τὸ ἑπόμενον· "καὶ τὸ ὅλον πρᾶγμα ἀτύχημα συμβέβηκεν". εἰ γὰρ ἀπέδρα λαβὼν ἀργύριον, ἕπεται τὸ ἀτύχημα λογίζεσθαι τὸ συμβάν.

8. Ἴδωμεν τοίνυν ἑκάστου τὸν καιρόν. ὅταν μὲν οὖν πάνυ θαρρῶμεν τῇ λύσει, συνάψομεν τὴν ἀντίθεσιν καὶ τὰς κατασκευὰς καὶ ποιήσομεν ἀξιοπιστίαν· τότε δὲ δοκοῦμεν πάνυ θαρρεῖν τῇ λύσει, εἰ καὶ κατασκευάσαντες τὴν ἀντίθεσιν πολλὰς παρέχομεν τὰς | λύσεις,
264 τὰς κατασκευὰς δ' αὐτῆς διελόντες ὡς ἀντιθέσεις εἰσάγομεν, ἵνα πυκνὸς καὶ ἀγωνιστικὸς ὁ λόγος γένηται, ὡς ἐν τῷ δευτέρῳ τῶν Φιλιππικῶν· μία μὲν γὰρ ἦν ἡ ἀντίθεσις, ὅτι φοβερὸς ὁ Φίλιππος. κατασκευαὶ δὲ τούτου, ὅτι χωρία εἴληφεν, ὅτι συμμάχους ἔχει, ὅτι

1 ἡ – τετολμημένα] λύσεις τὰ διατετολμημένα *B* || 2 ⟨εὐθὺς⟩ τῆς *B* || 3 ἡ om. *B* | ποῦ ⟨δαὶ⟩ *B* | τράπεζα *AB* et D. (codd. SY) τράπεζαι Sp. et D. (codd. AFQP) || 4 δεινὸν] δεῖν *A* | τὸ] τῶν *A* || 7 ⟨ὡς⟩ ἐπ' *B* || 8 δυσπ. οἴ. *B* et D. οἴ. δυσπ. *A* | ⟨τὸν⟩ φίλιππον *B* || 9 δυσπολέμητον *B* | ὁρῶν] σκοπῶν D. || 10 τῆς – 11 προειληφέναι om. *B* || 11 προειληφέναι] ἀπολολέναι τῇ πόλει D. προειληφέναι ⟨καὶ τὰ ἑξῆς⟩ Ald. || 12 ἀντιθέσει ὡς] ἀντιθέσεως *A* | ⟨ἐπ' ἐκείνου⟩ ἐν *B* || 14 ᾤχετο *A* || 15 ⟨ὅτι⟩ τὸ[2] *B* | ὅλον om. *B* et D. || 16 τὸ[1] om. *B* | λογίζεσθαι] νομίζεσθαι *B* || 17 εἰδῶμεν *A* | τοίνυν del. A^c | ἑκάστου ⟨τούτων⟩ *B* || 17.18 θαρρῶμεν πάνυ *A* || 18 συνάψωμεν *A* | τῇ ἀντιθέσει *B*, corr. Ba. ἀντίθεσιν *A* | καὶ[2] – 19 εἰ om. *B* || 19 ποιήσομεν Sp. ποιεῖ *A* | τότε δὲ] τοῦθ' ὅτε Ba. || 20 καὶ del. Sp. ἢ *B* | τὰς ἀντιθέσεις *AB*, corr. Ba. | ⟨εἰ⟩ πολλὰς ἔχοιμεν *B* || 21 αὐτῆς] αὖθις Ba. || 22.23 τῶν φιλιππικῶν] φιλιππικῷ γέγονεν *B* || 23 μὲν om. *B* | ἦν om. *B* | ἡ om. *A* || 24 τούτου ⟨τίνες;⟩ *B* | προείληφεν *B*

reason for the objection. The objection: "Where was the salt? Where was the table? Where were the libations (which we shared)?"[141] For what reason is there to support the statement that it was dreadful to prosecute the envoys? The (allegation) that he did not fail to share in their sprinkling of salt and the offering of libations. Then in turn comes his refutation (of the allegation).

6. Support for an objection is added to an objection in the following: "But if any of you think Philip is difficult to fight." Up to this point the objection (is stated), then the support for "difficult to fight": "Seeing the magnitude of the power available to him and all the places he has already seized."[142]

7. (We state) what follows from the objection as in (Demosthenes' speech) *Against Androtion*: "(I hear he will put some such argument as this before you,) that the Council was not the cause of the ships not being built, but the treasurer of the ship-builders absconded with two-and-a-half talents." Then what follows from this: "And the whole business turned out a disaster."[143] For if he absconded with the money, it follows that the whole thing is reckoned a disaster.

8. Let us then look at the occasion for each. Now whenever we are quite confident in our refutation, we shall join the objection and the supporting arguments and create an impression of trustworthiness. And the occasion under which we seem very confident in our refutation is if, having offered reasons for the objection, we provide many refutations, and while confuting the reasons, we introduce them as objections, in order that the speech may be compact and agonistic, as in the second of (Demosthenes') *Philippics*: For there was one objection, that Philip was "one to be feared."[144] The arguments in support of this are that he has captured places, that he

[141] Demosthenes 19.189.
[142] Demosthenes 4.4.
[143] Demosthenes 22.17.
[144] Demosthenes 2.6. Cf. below, 4.12.

πεζεταίρους ἴσχει, ὅτι τὴν Μακεδονικὴν δύναμιν περιέχει. ταύτας γὰρ τὰς κατασκευὰς εἰσήγαγε δι' ἃς εἴπομεν αἰτίας.

9. Ἐνίοτε δὲ καὶ τὸ ἑπόμενον τῇ ἀντιθέσει προστίθεται, ἵνα ἀπ' αὐτοῦ λαβὴν ἔχοντες ῥᾷον λύωμεν, ὡς ἐν τῷ κατὰ Ἀνδροτίωνος ὁ Δημοσθένης· προειπὼν γὰρ τὴν ἀντίθεσιν, ὡς "ὁ τῶν τριηροποιῶν ταμίας ἀποδρὰς ᾤχετ' ἔχων πέντε ἡμιτάλαντα," εἶτα προσθεὶς τὸ ἑπόμενον, "καὶ τὸ ὅλον πρᾶγμα ἀτύχημα συμβέβηκεν", ἐκ τούτου ἔσχεν ἀφορμὴν τῆς λύσεως. δεῖ δὲ καὶ πιθανὰ εἶναι τὰ λεγόμενα, ἵνα μὴ ἡμεῖς αὐτὰ κακοτεχνοῦντες δοκῶμεν προσάγειν, ἀλλ' αὐτὴ ἡ φύσις τῶν πραγμάτων ἐφέλκεσθαι.

10. Ἐνίοτε δὲ καὶ μὴ θέντες ἀντίθεσιν τὰς λύσεις αὐτῆς τίθεμεν. τοῦτο δὲ γίνεται, ὅταν [ἢ] πάνυ βαρύνῃ ἡμᾶς ἡ ἀντίθεσις ἐκ προφανοῦς τεθεῖσα καὶ δέῃ αὐτὴν προανελεῖν λεληθότως, ὡς ἐν τῷ πρώτῳ τῶν Ὀλυνθιακῶν πεποίηκεν ὁ Δημοσθένης. τίς γὰρ ἦν ἡ πάνυ βαρύνουσα αὐτὸν ἀντίθεσις; ὅτι ἄπιστοι ἡμῖν Ὀλύνθιοι. | τοῦτο τοί-
265 νυν μὴ θεὶς ἐκ προφανοῦς λέλυκε λεληθότως· "πρὸς δὲ τὰς καταλλαγάς, ἃς ἂν ἐκεῖνος ποιήσαιτ' ἄσμενος πρὸς Ὀλυνθίους, ἐναντίως ἔχει". καὶ γάρ ἐστι τύραννος ὁ Φίλιππος καὶ ὄλεθρος φύσει τοῖς δημοκρατουμένοις καὶ ὑπὲρ μεγάλων Ὀλυνθίοις ὁ κίνδυνος, εἰ πεισθήσονται. καὶ ἐκ παραδείγματος· "καὶ ἴσασιν ἅ τε Ἀμφιπολιτῶν ἐποίησε τοὺς παραδόντας αὐτῷ τὴν πόλιν, καὶ Πυδναίων τοὺς ὑποδεξαμένους". ταῦτα τοίνυν ἐστὶ συστατικὰ τοῦ πιστοὺς μὲν ἡμῖν μένειν, ἀπίστους δὲ τῷ Φιλίππῳ. ὅρα πῶς μὴ θεὶς τὴν ἀντίθεσιν τὰς λύσεις αὐτῆς τέθεικεν. **11.** κἀν τῷ περὶ τοῦ στεφάνου τὰ αὐτὰ πεποίηκεν. τίς γὰρ ἦν ὁ ἀντιτεθεὶς παρ' Αἰσχίνου λόγος; ὅτι "οὐδὲ προσήκων ἦν

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1 περεζεταίρους (sic) | ἴσχει *A* om. *B* ἔχει Ha. | περιέχει om. *B* | ταῦτα *A* ‖ 2 γὰρ] τοίνυν *B* | κατασκευὰς ⟨ὡς ἀντιθέσεως⟩ *B* cf. supra 142.21 | ἣν . . . αἰτίαν *B* | εἴπαμεν *B*, corr. Ald. εἶπον *A* ‖ 3 ἀπ'] ἐπ' *A* ‖ 4 λύωμεν ⟨τὴν ἀντίθεσιν⟩ *B* ‖ 4.5 ὁ δημοσθένης om. *B* ‖ 6 προστιθεὶς *A* ‖ 7 ὅλον om. D. | ἐκ] ἀπὸ *B* ‖ 8 λεγόμενα] ἑπόμενα *B* ‖ 9 προάγειν W. ‖ 11 αὐτῆς] αὐτοῦ *B* ‖ 12 delevi ‖ 13 δεῖ *B* ‖ 14 Ὀλυνθιακῶν] φιλιππικῶν *B* | ἡ om. *B* ‖ 15 ⟨οἱ⟩ ὀλύνθιοι *B* ‖ 16 λεληθότως] εἰπών *B* ‖ 17 ἂν *A* et D. om. *B* | ποιήσαιτ' *A* et D. ποιήσετ' *B* ‖ 18 ὁ om. *B* | ὄλεθρος] ἐχθρὸς *B* ⟨ὅλως⟩ ἐχθρὸς Fi. ‖ 19 ὀλυνθίων *A* ‖ 20 πειθήσονται *A* ‖ 21 τοὺς – ὑποδεξαμένους *B* et D. om. *A* | πυδναίων τοὺς D. πυδναιώτους *B* ‖ 22 τοίνυν] τίνος *B* | ἐπισυστατικὰ *A* | τοῦ – 23 φιλίππῳ] τοῦ ἀπίστους μὲν αὐτοὺς μένειν φιλίππῳ, ἡμῖν δὲ πιστούς *B* ‖ 23 ὁρᾷς *B* ‖ 24 αὐτῆς om. *B* | τέθηκεν *B* | καὶ ἐν *B* | περὶ] ὑπὲρ *B* | ταὐτὸ *B* ‖ 25 ὁ . . . λόγος] ἡ . . . ἀντίθεσις *B* | ἀντιτεθεὶς om. *B* | παρ'] περὶ *A* | ἦν om. *B*

has allies, that he has strong foot-guards, that he controls the Macedonian force; for (Demosthenes) introduced these arguments for the causes we mentioned.

9. But sometimes also the result is added to the objection, in order that by gaining strength from it we may refute more easily, as Demosthenes did in the speech *Against Androtion*.[145] For after stating the objection, as "The treasurer of the ship-builders absconded with two-and-a-half talents," then after adding the result, "and the whole business turned out a disaster," from this he had the starting point for his refutation. Moreover, the things said need to be persuasive, in order that we seem not to be introducing them in an artfully deceitful way but that the nature of the facts (may seem) to be grasped.

10. But sometimes too, without stating the objection, we set out the refutations of it. This is done whenever the objection weighs very heavily against us if stated explicitly and there is need of counteracting it ahead of time without seeming to do so, as Demosthenes did in the first of the *Oynthiacs*. For what was the objection weighing very heavily against him? That "we cannot trust the Olynthians." Without stating this explicitly he has refuted it covertly: "In regard to the compacts which (Philip) would gladly make with the Olynthians, the case is the the opposite."[146] Moreover, Philip is a tyrant and naturally destructive to democratic states and the danger to the Olynthians is great if they will be persuaded. And (he argues) from example: "And they knew what in the case of the Amphipolitans he did to those who betrayed their city to him, and in the case of the Pydnaians to those who received him."[147] These things are confirmations of their remaining faithful to us and distrustful of Philip. See how he has established the refutation of the objection without stating it. **11.** And he did the same in *On the Crown*. What was the argument stated as an objection by Aeschines? "The war did not belong to us, Demosthenes, but Philip was going against

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[145] See above, 4.7.
[146] Demosthenes 1.4.
[147] Demosthenes 1.5.

ἡμῖν ὁ πόλεμος, ὦ Δημόσθενες, ἀλλ' ἐπ' ἄλλους ᾔει Φίλιππος, σὺ δ' ἀλλότριον πόλεμον ἐπεσπάσω". τούτου ἦν ἡ λύσις· ὁ δὲ μὴ θεὶς τὴν ἀντίθεσιν τὴν λύσιν αὐτῆς τέθεικεν εἰπών, "ἀλλὰ μὴν τὸν τότε συμβάντα ἐν τῇ πόλει θόρυβον ἴστε μὲν ἅπαντες". τί γὰρ ἐκ τούτου συνίστατο; ὅτι προσήκων ἡμῖν ὁ πόλεμος, ἐθορυβούμεθα. **12.** ἢ οὖν βαρυνούσης ἡμᾶς τῆς ἀντιθέσεως προεισάγομεν τὰς λύσεις ἢ ὅταν
266 μὴ οὔσης καταστάσεως δέῃ τὰς λύσεις καταστατικῶς, ἀλλ' οὐκ | ἀγωνιστικῶς τεθῆναι, ὡς ἐν τῷ δευτέρῳ τῶν Ὀλυνθιακῶν πεποίηκεν ὁ Δημοσθένης· "ἐγὼ γάρ, ὦ ἄνδρες Ἀθηναῖοι, σφόδρ' ἂν ἡγούμην καὶ αὐτὸς φοβερὸν τὸν Φίλιππον καὶ θαυμαστὸν, εἰ τὰ δίκαια πράττοντα ἑώρων ηὐξημένον". εἰ γὰρ ἁπλῶς ἀντίθεσιν καὶ λύσιν ἐτίθει, οὕτως ἂν εἶπεν, "ἀλλὰ νὴ Δία φοβερὸς ὁ Φίλιππος" ἢ "ἐξ ἀδίκων ηὔξηται". νῦν δὲ καταστατικῶς εἰσήγαγε τὰς λύσεις, δι' ἣν εἶπον αἰτίαν.

13. Ἐνίοτε δὲ καὶ ἡ μία ἀντίθεσις πλεονάκις εἰσάγεται, ὡς ἐν τῷ πρὸς Λεπτίνην· τίς γὰρ ἦν ἡ ἀντίθεσις; ὅτι ἀνάξιοί τινές εἰσι τῆς ἀτελείας. τοῦτο πολλάκις εἰσήγαγεν. "ἔστι δ' οὐκ ἄδηλον τοῦθ' ὅτι Λεπτίνης, κἂν τις ἄλλος ὑπὲρ τοῦ νόμου λέγῃ, δίκαιον μὲν οὐδὲν ἐρεῖ, φήσει δ' ἀναξίους τινὰς ἀνθρώπους". καὶ πάλιν· "νὴ Δία ἀνάξιοι γάρ τινές εἰσι", καὶ πάλιν "εἶτ' ἐπισύροντες ἐροῦσιν ὡς Μεγαρεῖς καὶ Μεσσήνιοί τινες ἀτελεῖς εἰσὶν ἀθρόοι καὶ παμπληθεῖς καὶ δοῦλοι καὶ μαστιγίαι".

14. Πολλάκις δὲ τὴν αὐτὴν ἀντίθεσιν λαμβάνομεν ὅταν δαψιλεῖς ἔχωμεν ἐν αὐτῇ τὰς λύσεις καὶ δέῃ αὐτὰς διαιρεθῆναι ἢ ὅταν ἰσχυρὰ δοκῇ εἶναι ἡ ἀντίθεσις καὶ δέῃ αὐτὴν ἀκριβῶς ἐλεγχθῆναι. ὅταν δὲ

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1 ἄλλοις Ald. | ᾔει] εἴη *B* et Ald. || 2 τοῦτο *B* | ἡ om. Ald. | λύσις] ἀντίθεσις *B* || 3 εἰπών om. *B* || 4 ἐν *A* et codd. D. (SFY) om. *B* et cod. D (A) | ἴστε – ἅπαντες *B* et D. om. *A* || 5 συνίσταται *B* | ὅτι] οὕτως οὖν *B* | ἡμῖν προσήκων *B* | ὁ om. *B* | ἐθορυβούμεθα del. Sp. ὥστε καὶ ἐθορυβούμεθα codd. SGO || 6 ἡμᾶς ⟨ἄγαν⟩ *B* || 8 τῶν om. *B* | ὀλυνθιακῷ *B* || 9 ὦ om. *A* || 9.10 ἡγούμην καὶ αὐτὸς *B* et D. καὐτὸς ἡγούμην *A* || 10.11 καὶ – ηὐξημένον *B* et D. om. *A* || 11 ἁπλῶς Sp. ὡς *AB* ἀγωνιστικῶς Ha. (76) coll. supra 7.8 | ἀντισθένη (sic) *A* | ἐτίθει *B* ἐποίει *A* || 12 ὁ om. *B* | φίλιππος ἢ] φίλιππος· οὐ φοβερός, ἐπεὶ Ha. (76) | ἢ] οὔπω *B* πῶς εἰ Ba. | ἀδικίας *B* || 13 νυνὶ *B* | λύσεις] ἀντιθέσεις *A* || 14 καὶ om. *B* | πλεονάκις Ba. καὶ πλεονάκις *B* εἰσάγεται πλεονάκις *A* || 15 ἡ om. *B* | ⟨ταύτης⟩ τῆς *B* || 16 οὐκ – τοῦθ' *B* et D. (qui post ἄδηλον add. ὦ ἄνδρες Ἀθηναῖοι) τοῦτο δῆλον *A* || 17 κἂν – λέγῃ *B* et D. εἶναι *A* || 18.19 νὴ – πάλιν (ὁμ.) om. *B* || 20 ἀτελεῖς τινες *B* τινες εἶναι φάσκοντες, ἔπειτ' ἀτελεῖς D. || 22 λαμβάνομεν] εἰσάγομεν *B* || 23 ἐν – τὰς] πρὸς αὐτὴν *B* || 23.24 δοκῇ ἰσχυρὰ *B* || 24 αὐτὴν om. *A*

others, and you were drawing us into somebody else's war."[148] His refutation was of this; but without stating the objection he has stated its refutation, saying, "But you all know the commotion that then took place in the city."[149] What is concluded from this? We cried out that the war belonged to us. **12.** We therefore bring in refutations ahead of time either when the objection weighs heavily against us or whenever, if there is no proof, there is need of stating the refutations as though they were proved but not debatable, as Demosthenes did in the second of the *Olynthiacs*: "For I myself also, Men of Athens, would strongly think Philip was one to be feared and marvelous, if I saw him having grown strong while doing what is just."[150] For if he had stated the objection and refutation simply, he would have spoken thus: "But, by Zeus, Philip is to be feared" or "He has grown strong from injustice." But as it is he introduced the refutations as proved, for the reason I said.

13. Sometimes, too, one objection is introduced many times, as in (Demosthenes' speech) *Against Leptines*. What was the objection? That some men are not worthy of exemption (from financial obligations to the state). This he introduced many times, (as when he says) "It is not unclear that Leptines, and anyone else who speaks about the law, will say nothing just but will say that some men are unworthy."[151] And again, "By Zeus, for some are unworthy."[152] And again, "Then they will drag in the statement that some Megarians and Messenians are free of obligations collectively and a lot of them and they are slaves and rogues."

14. Often we take up the same objection whenever we have plenty of refutations against it and when there is need for them to be divided or when the objection seems to be strong and there is need for it to be refuted accurately. But whenever you are going to introduce the same objection

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[148] The closest passage seems to be Aeschines 3.55.
[149] Demosthenes 18.168.
[150] Demosthenes 2.6. Cf. above, 4.8.
[151] Demosthenes 20.1.
[152] Demosthenes 20.38.

267 μέλλῃς τὴν αὐτὴν ἀντίθεσιν πολλάκις εἰσάγειν, δεήσει σοι καὶ | ποικίλων τῶν σχημάτων καὶ τῶν εἰσαγωγῶν, ἵνα τὸ προσκορὲς ἀφέλῃς.

15. Ἐνίοτε δὲ καὶ δύο ἀντιθέσεις κατὰ ταὐτὸ συνάπτοντες εἰσάγομεν, χωρὶς δ' ἑκατέραν λύομεν. ἔστι μὲν καὶ παρὰ τοῖς ἀρχαίοις παραδείγματα, ἔστι δὲ καὶ παρ' ἡμῖν ὡς ἐν ἐκείνῳ τῷ ζητήματι· τὸν προδότην ἔδει δεδέσθαι παρὰ τῷ στρατηγῷ, ἔστ' ἂν εἴπῃ τοὺς ἄλλους· στρατηγὸς ἁλοὺς προδοσίας ἐδέθη παρὰ τῷ συστρατήγῳ, ὁ δ' ἀπέκτεινεν αὐτὸν ὡς ἐπ' αἰτίᾳ μοιχείας καὶ κρίνεται συνειδότος. μετὰ γὰρ τὰς πρώτας ἀντιθέσεις ἔτι κἀκείνας τεθείκαμεν συμπλέξαντες· φησὶ γὰρ ὅτι καὶ αὐτὰ μὲν δι' ἑαυτῶν φωρᾶται· περὶ δὲ τοῦ καὶ ἄλλως [ἂν] ἐγγενέσθαι διαφθεῖραι τὸν ἄνθρωπον αὐτῷ, εἰ τὴν ἐξ αὐτοῦ μήνυσιν ὑφεωρᾶτο, καὶ οὐκ ἄν, ἀκινδύνως ἐξὸν τοῦτο πρᾶξαι, μετὰ τῆς μεγίστης ζημίας προείλετο τοῖς τούτου προσθεῖναι τὴν γυναῖκα· τοῦτο εἴσῆκται μὲν ὡς μία ἀντίθεσις, τὸ δ' ὡς ἀληθῶς εἰσὶ δύο, μία μὲν ἀπὸ τῆς βουλήσεως, ὅτι "οὐκ εἰκὸς ἦν προσαπολέσαι με ἑλέσθαι τὴν γυναῖκα καὶ ὀνείδει περιβαλεῖν, εἰ μὴ ταῖς ἀληθείαις μεμοίχευτο"· ἑτέρα δ' ἀπὸ τῆς μεταλήψεως, ὅτι "καὶ ἄλλοι τρόποι
268 ἦσαν ἀναιρέσεως, εἰ ἐβουλόμην ἀνελεῖν τὸν ἄνθρωπον". ὁ δὲ | τὰς δύο συνάψας εἰσήγαγε. γνῴης δ' ἂν ὡς ἀληθῆ λέγω καὶ ὄντως δύο εἰσὶν ἀντιθέσεις, καὶ ἀπ' αὐτῶν τῶν λύσεων· διαφόρους γὰρ πρὸς ἑκατέραν ἠνέγκαμεν λύσεις, ὡς καὶ τῷ σχήματι ἐπεσημηνάμεθα εἰπόντες, "πρῶτον μέν, ἵνα πρὸς τοῦτο ἀποκρινώμεθα, δεύτερον δέ"· τοῦτο οὐκ ἂν εἴπομεν, εἰ μὴ ᾔδειμεν καὶ αὐτοὶ δύο ἀντιθέσεις τεθεικότες. **16.** γίνεται δὲ τοῦτο καὶ συνάπτεται ἀντίθεσις ἀντιθέσει ὅταν

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1 πολλάκις om. *A* | ἐπάγειν *B* || 1.2 ποικίλων ⟨καὶ⟩ *B* || 3 κατὰ ταὐτὸ] ἅμα *B* | συνάψαντες *B* | 4 χωρὶς δ' εἶτα χωρὶς *B* | ⟨ὡς⟩ ἔστι *B* ὧν ἔστι coni. Ba. | ἔστι – 7 συστρατήγῳ del. W. || 5 ἔστι – ὡς ἐν] εὕρηται δὲ καὶ παρὰ ἀψίνῃ ἐν *B* | ζητήματι *B* διηγήματι *A* || 6 στρατηγῷ *A* et Hermog. συστρατήγῳ *B* | ἔστ' – 7 συστρατήγῳ *A* et Hermog. om. *B* (ὁμ.) || 7 τοῦ συστρατήγου *A*ᵃ || 8 ὡς – αἰτίᾳ] ἕνεκα *B* | κρίνεται συνειδότος] συνειδότος φεύγει Hermog. || 9 ἔθηκε συμπλέξας *B* || 10 ὅτι om. *B* | αὐτὰ] ταῦτα *B* | αὐτῶν *B* || 11 del. Ald. | γίνεσθαι *A* | εἰ Ba. εἰς *AB* || 12 ἐξὸν ἀκινδύνως *B* || 13 ζημίας τῆς μεγίστης *B* | ἀνείλετο *B* ἂν εἵλετο Fi. | τοῖς τούτου Sp. τις τοῦ *AB* | προσθῆναι *B* ⟨τὸ⟩ προσατιμωθῆναι Ba. || 14 δ' – ἀληθῶς] ἀληθ (sine term.) δὲ *B* || 16 τὴν om. *B* || 17 ὅτι Ba. om. *B* εἰ *A* ἔτι Volkmann || 19 γνοίης *B* | ὡς] ὅτι *B* | ὄντος *B* || 20 καὶ om. *A* | ⟨ὅτι⟩ διαφόρους *A* | γὰρ om. *A* || 21 ἤνεγκε *B* | ὡς om. *B* | ἐπεσημήναμεν Ba. || 21.22 ἐπεσημήνατο εἰπών *B* || 22 τοῦτο – δέ·] τὸ δεύτερον αὐτοῦ πρότερον ἀποκρίνωμαι *B* τὸ δεύτερον πρότερον ἀποκρινώμεθα, δεύτερον δὲ Ba. || 23 εἶπεν *B* | ᾔδειμεν] ἦν μία εἰ *B* || 23.24 αὐτὸς . . . τεθεικὼς *B*

many times, you need to vary both the figures of speech and how the objections are introduced in order to avoid being tedious.

15. Sometimes also we introduce two objections, joining them into one, but we refute each separately. There are examples among the ancient writers and there are also among us, as in the following question for declamation: (The law requires that) a traitor be given over to the general until he names other (conspirators); a general who has been arrested for treason was given over to another general and the latter killed him as being guilty of adultery and is brought to trial on a charge of complicity.[153] For after we stated the first objections we continued by weaving in the following as well:[154] (the speaker) says that the facts (of the adultery) are detected independently and it was for this reason, different from the other charge, that it was permitted for him to kill the man if he overlooked the information to be obtained from him (about other conspirators), and he would not have chosen, despite the greatest punishment, to have given over his wife to the attentions of this man when it was possible to take this action without danger. This has been brought in as one objection but in truth it is two, one from his purpose, that "it was not probable that I would have chosen to kill my wife as well and to cast shame upon her unless there was true evidence she was guilty of adultery," the other from the counterplea (*metalēpsis*), that "there were other ways of disposing of him if I wanted to dispose of the man." He introduced both by joining them. And you should recognize that what I say is true and that there really are two objections also from the refutations themselves; for we introduced different refutations for each argument, as we indicated also by the figure of speech when we said, "First, in order to answer to this, and second (to that)." This we would not have said if we did not know that we ourselves had stated two objections. **16.** This happens also, and objection is joined to objection, either when we have a

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[153] Cf. Hermogenes, *On Stases*, pp. 57, 1–11, ed. Rabe; Sopatros in Walz VIII pp. 51–54; Russell, p. 51; Heath, p. 96.

[154] The use of past tenses in this passage suggests that Apsines is referring to the treatment he himself had given to the theme; cf. item 6 in the discussion of the text in the Introduction.

ἢ μίαν ἔχωμεν λύσιν θεῖναι, καὶ ἔστι τοῦτο ἄκρας δυνάμεως δεῖγμα, ἢ ὅταν ἕπωνται ἀλλήλαις αἱ ἀντιθέσεις καὶ συνᾴδωσιν, ὡς μίαν εἶναι δοκεῖν. ὅταν δὲ τοῦτο ποιήσῃς καὶ μέλλῃς διαφόρους πρὸς ἑκατέραν τιθέναι λύσεις, ἐπιμελητέον σοι καὶ τῶν σχημάτων σαφῶν καὶ εὐκρινῶν, ὡς μὴ σύγχυσιν εἶναι, ἀλλὰ τοῦ ἑνὸς εὐκρινῶς ἀποδειχθέντος οὕτως ἐπὶ τὸ ἕτερον μεταβῆναι.

17. Πολλάκις δὲ καὶ ἐκ μάχης εἰσάγονται ἀντιθέσεις, ὅταν ἐναντίαι ὦσιν ἀλλήλαις· ποτὲ μὲν τοίνυν λέγουσιν ὡς οὐκ ἔπραξαν, ποτὲ δὲ ὡς ἔπραξαν μέν, δικαίως δέ γε.

5. ΠΕΡΙ ΛΥΣΕΩΣ

1. Λύσεων δὲ καθολικοὶ τρόποι εἰσὶ δύο, κατὰ ἀνατροπὴν καὶ κατὰ
269 μέθοδον· καὶ κατὰ ἀνατροπὴν μὲν | οὕτως· “ἐφόνευσας, οὐκ ἐφόνευσα”. κατὰ μέθοδον δέ, οἷον· “ἐφόνευσα μέν, ἀλλὰ δι᾽ αἰτίαν εὔλογον”. ὁ μὲν οὖν κατὰ ἀνατροπὴν τρόπος κατασκευάζεται ἐκ τόπων τούτων, ἢ ἐκ τῶν ὑποκειμένων πραγμάτων ὅταν αὐτὰ τὰ πεπραγμένα ἐναντία φαίνηται τοῖς εἰρημένοις ὑπὸ τοῦ κατηγόρου· ἢ ἐξ εἰκότων, εἰ εἰκὸς μὴ εἶναι ἀληθές, μήτε γὰρ βουληθῆναι διὰ τὸ μὴ δεδυνῆσθαι πρᾶξαι διὰ τόδε ἤ τι ἕτερον, ἢ ἐξ ἀτέχνου πίστεως, οἷον μαρτυρίας ἢ ἄλλου τινὸς τῶν τοιούτων· καὶ ὅλως ἐν ταῖς ἀνατροπαῖς τῶν λύσεων ἡ ζήτησις στοχαστικὴ ἢ ὁριστική, οἷον· “ἀδικεῖς δημοσίᾳ”, “οὐκ ἀδικῶ· τί γάρ ἐστι ⟨τὸ⟩ δημοσίᾳ ἀδικεῖν;” “τὸ ναῦς προδοῦναι” καὶ τὰ τοιαῦτα.

2. Εἰσὶ δὲ τῶν ἀνατροπῶν αἱ μὲν ἁπλαῖ, αἷς ἤδε ἡ μέθοδος εἰσπίπτει,

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1 λύσιν ⟨πρὸς τὰς δύο⟩ ἔχωμεν *B* | τοῦτο – δεῖγμα] οὐ μικρᾶς τοῦτο δυνάμεως *B* || 4 τιθέναι λύσεις] τὴν ἀντίθεσιν λύσεις φέρειν *B* || 5 εὐκρινῶν] συγκριτέον *A* | εἶναι] ἐργάσασθαι *B* | ⟨ἀποδειχθέντος⟩ εὐκρινῶς *B* || 6 τὸ om. *B* || 8 ⟨καὶ⟩ ποτὲ *B* | τοίνυν om. *B* | λέγωσιν *B* || 9 μέν om. *B* | γε del. Ba. || 10 tit. λύσεων B || 11 εἰσὶ om. *B* | καὶ om. *B* || 12 οὕτως Ha. coll. 154.13 οὖν *A* om. *B* || 13 οἷον ⟨λόγου χάριν⟩ *B* | ἐφόνευσας *B* || 14 τόπων] τρόπων *A* || 15 αὐτὰ om. *B* || 16 τῶν εἰρημέων *A*, corr. Ba. τοῖς λεγομένοις *B* || 17 εἰ Ba. ἤ *A* om. *B* | βουληθῆναι ⟨μὲν⟩ *A* | τόδε *A* | μήτε post τὸ *AB*, correxi | δυνηθῆναι *B* || 18 διὰ τόδε om. *B* | ἢ om. *A* || 18.19 μάρτυρας . . . ἄλλους τινὰς *B* || 20 ἡ *B* ἢ *A* | οἷον om. *B* || 21 ἀδικῶ ⟨δημοσίᾳ⟩ coni. Sp. | add. Ba. || 22 τὰ] ὅσα Ba.

single refutation to state, and this is an indication of the highest degree of effectiveness, or when the objections follow each other and agree with each other so as to seem to be one. But whenever you do this and are going to state different refutations to each objection, you should be careful to use figures that are both clear and elegant, so there is no confusion, but one, having been elegantly set out, changes into the other.

17. Often also conflicting objections are introduced, whenever they are opposite to each other; sometimes then they say that they did not do something, but sometimes that they did it, but justly.[155]

Chapter 5: On Refutation

1. There are two general kinds of refutations (*lyseis*), one by reversal (of the claim of the opponent) and one "by method."[156] Refutation by reversal is like this: "You killed"; "I did not kill"; by method: "I killed, but for good cause." Now refutation by reversal is supported from the following topics:[157] either from the underlying facts, whenever the facts themselves seem opposed to what is said by the accuser; or from probabilities, if it is probable that the charge is not true—for the action was not even likely to have been desired because of not being able to be performed for this or some other reason—or from non-artistic proof, the evidence of a witness, for example, or something else of the same sort. And in general, refutations based on reversals are used when the question is one of fact or definition; for example, "You did wrong to the state"; "I did no wrong; for what is it 'to do wrong to the state'?"(Or "What is it) 'to betray ships'?" and such like.

2. Some instances of reversals are simple, under which falls the method

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[155] Perhaps Apsines has in mind the situation in which a defendant argues that he did not do the alleged act (conjectural stasis) and then that even if he had, it would have been just (stasis of quality); the most famous example of such an argument is Cicero's *For Milo*.

[156] *Kata methodos*, literally "by following it out," i.e., offering a supporting reason for a statement; cf. Martin, pp. 130–33. Apsines regards reversal as most useful in stasis of fact or definition, "method" in stasis of quality.

[157] This is Apsines' first use of *topos* to refer to sources of argument; the term seems to be avoided until the chapter on the epilogue, where it is common.

αἱ δ' ἐκ περιουσίας, ὡς ἐπ' ἐκείνου· "εὐεργέτης ὁ Χαρίδημος", "οὐκ εὐεργέτης". τοῦτο ἁπλοῦν· εἶτα μεθ' ὑπερβολῆς "οὐ μόνον οὐκ εὐεργέτης, ἀλλὰ καὶ τάδε ἠδίκηκε". γίνεται γὰρ μέθοδος ἢ κατὰ περιτροπὴν ὅταν ἐξ αὐτῆς ἣν ἂν εἴπῃ ὁ ἀντίδικος ἀντιθέσεως περιτρέπῃς αὐτόν, ὡς ἐν τῷ Παραπρεσβείας· "ὀργιεῖται", φησί, "Φίλιππος, εἰ καταψηφιεῖσθε τῶν πεποιημένων τὴν εἰρήνην"· πρὸς τοῦτο ἀπήντησε 270 τῷ | κατὰ περιτροπήν· "ἐγὼ δέ, εἰ τοῦτό ἀληθές ἐστιν, οὐκ ἔχω σκοπούμενος εὑρεῖν ὅ τι μεῖζον κατηγορήσω· εἰ γὰρ ὁ τῆς εἰρήνης χρήματα ἀναλώσας". **3.** ἢ κατὰ σύγκρουσιν, ὃ καὶ αὐτὸ δόξαι ἂν περιτροπῆς εἶναι, ὅταν μὴ λύσιν τιθῶμεν, ἀλλ' αὐτὰς τὰς ἀντιθέσεις συγκρούωμεν ὡς ἐναντίας ἀλλήλαις, ὡς ἐν τῷ κατὰ Ἀνδροτίωνος· "οὔ φημι δίκαιον εἶναι περὶ ἀμφοῖν λέγειν, ὡς οὐ παρὰ τὸν νόμον ἐστὶ ἡ δωρεὰ δέδοται καὶ ὡς οὐ διὰ τὴν βουλὴν οὐκ εἰσὶν αἱ τριήρεις· εἰ μὲν γὰρ διδόναι καὶ μὴ ποιησαμένῃ τὰς ναῦς ἔξεστι, τί τοῦτο δεῖ λέγειν, δι' ὅντινα δήποτε οὐ πεποίηται;" **4.** ἢ κατὰ μείωσιν γίνεται λύσις, ἐὰν ἀνελεῖν μὲν μὴ δυνώμεθα πάντῃ τὸ ὑπὸ τοῦ κατηγόρου λεγόμενον, ἀλλὰ συγχωρήσαντες ἐλαττώσωμεν αὐτό, ὡς ἐν τῷ πρὸς Λεπτίνην· "ἀλλὰ χορηγούς (φησὶν) διὰ τοῦ νόμου ἕξομεν". τοῦτο ἐμείωσεν εἰπών, ὀλίγους εἶναι καὶ πέντε ἢ ἕξ. δεῖ δὲ πιθανῶς ποιεῖσθαι τὰς μειώσεις. **5.** ἢ τοὐναντίον κατὰ αὔξησιν ὅταν ὁ μὲν ἀντίδικος ἐλαττώσῃ τὸ πρᾶγμα, σὺ δὲ κατ' αὔξησιν ἀπαντήσῃ κατὰ πηλικότητα ἢ ποσότητα ἢ ἄλλο τι τῶν αὐξητικῶν. **6.** ἢ κατὰ ἀντιπαράστασιν ὅταν μὴ δυνάμενοι ἀνελεῖν τὸ παρὰ τοῦ ἀντιδίκου πάντῃ ἀντιπαραστήσωμεν αὐτῷ ἕτερον, ἢ καλὸν ἢ κακόν, ὡς ἐν τῷ πρὸς Λεπτίνην·

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1 ἐν ἐκείνῳ *B* | εὐεργέτης – οὐκ om. *B* || 2 εὐεργέτης] ηὐεργέτησεν *B* | ἁπλῶς *B* | ⟨οἷον⟩ οὐ *B* || 3 εὐεργέτης] ηὐεργέτησεν *B* | ἠδίκησεν *B* || 4 ἣν] οἷς Fi. ἧς Ald. | εἴπῃς *B* | ἀντιθέσεως *B* (per compendium) om. *A* ἀνθιστάμενος Fi. ἀνθίσταται Ald. | περιτρέπεις *B* || 5 τῷ ⟨τῆς⟩ *B* || 6 καταψηφίσησθε *A* ⟨ἐὰν⟩ καταψηφίσησθε Ha. coll. Hermog. 138.21 Rabe || 7 τῷ om. *B* | ἐστιν ἀληθές *B* || 8 ⟨τούτου⟩ μεῖζον *B* || 9 ὃ – ἂν] ὅσαι καὶ αὐταὶ ἄν τισι δόξαιεν *B* || 10 ⟨τῆς⟩ περιτροπῆς *A* | μὴ] οὐ *B* | θῶμεν *B* | αὐτὰς om. *B* || 12 οὔ *A* et D. ᾧ *B* | ὡς οὐ] ὡς καὶ οὐ D. (cod. S[a]) ὡς καὶ D. (cod. S[c]) || 13 ἡ δωρεὰ δίδοται *B* et D. τὸ ψήφισμα *A* | διὰ *A* et D. παρὰ *B* || 14 τὰς – ἔξεστι] προσήκει D. || 14.15 δεῖ λέγειν] λέγουσιν *B* || 15 πεποίηται *B* || 16 ἐὰν] ἐπὰν *B* ὅταν coni. Ha. | κατηγόρου] ἀντιδίκου *B* || 17 λεγόμενον ante ὑπὸ *B* || 18 ἕξομεν ante διὰ *B* || 20 μειώσεις] ἐλαττώσεις *B* || 21 ἐλαττώσῃ] ἐλαττῶν B ἐλαττοῖ W. | ἀπαντήσῃς *B*, correxi ἀπαντήσας *A* | ⟨ἢ⟩ κατὰ *B* || 22 ἄλλο τι] ἄλλων *A* || 23 δυνάμεθα *B* || 24 ἤ καλὸν ἤ κακόν] κακὸν ἢ ἀγαθόν *B*

described above, but some involve taking a further step, as in the following: "Charidemus is a benefactor"; "He is not a benefactor." This much is simple. Then, with hyperbole, "He is not only not a benefactor but he has even done these wrongs," (which you list). For there is method or refutation by reversal whenever you turn against the opponent the same objection that he voices, as in (Demosthenes') speech *On the False Embassy*: "Philip will be angry," he says, "if you vote to condemn those who made the peace treaty." He met this by reversal: "But if this is true, however hard I think, I cannot find any greater accusation I can make; for if (Philip), who spent his money to get the peace treaty. . . ."[158] **3.** (Another kind of refutation) is by comparison (*synkrisis*), which actually would seem to be a form of turning the opponent's argument against him (and can be used) whenever we do not state a refutation but we compare the objections as contradicting each other, as in (Demosthenes' speech) *Against Androtion*: "I say it is not just to combine two statements, (claiming both) that the gift has not been given illegally and that the lack of ships is not the responsibility of the Council; for if it is permitted to reward them even though they have not built the ships, why is it necessary to say who is responsible that they were not built?"[159] **4.** Refutation by *meiōsis* occurs if we are not able to refute what is said by the accuser completely, but while conceding it we diminish its importance, as in (Demosthenes' speech) *Against Leptines*: "But because of the law, (my opponent) says, we shall have men to pay for choruses."[160] This he deflated by saying they would be few, maybe five or six. But when meiosis is used it needs to be persuasive. **5.** Or, on the other hand, one can use *auxēsis*, whenever the opponent deflates the subject and you counter him by amplification of the magnitude or quantity or something else of the things amplified. **6.** Or we can use *antiparastasis*,[161] when, not being able to refute completely what is claimed by the opponent, we set something different against him, whether good or bad, as in *Against Leptines*: "The law provides us with many

[158] Demosthenes 19.134.
[159] Demosthenes 22.18.
[160] Cf. Demosthenes 20.18–22.
[161] I.e., counter-objection.

271 | "χορηγοὺς πολλοὺς δίδωσιν ἡμῖν ὁ νόμος". τοῦτο ἔλυσε πρῶτον μὲν κατὰ μείωσιν, ὡς ἐδείχθη ἐπάνω, εἶτα κατ' ἀντιπαράστασιν ἀτόπου· χορηγοὺς δίδωσιν, ἀλλ' εἰς αἰσχύνην ἄγει, ἀλλ' εὐεργετῶν ἀφαιρεῖται. κατὰ δ' ἀντιπαράστασιν ἀγαθῶν, ὡς ἐν ἐκείνῳ· ἀδικεῖς τὰς ναῦς ἐμπρήσας· ἀλλὰ νίκην πεποίηκα, ἀλλὰ φυγῆς ἀπήλλαξα. ἡ δ' ἀντιπαράστασις τὰ πολλὰ ἀπὸ τῶν ἐκβάσεων εὑρίσκεται, οἷον εὐπορίαν ποιεῖ τὸ μισθοῦ μυεῖν, ἀλλὰ τοῦτο ἐκβήσεται, ἀδοξία, ὀργὴ παρὰ θεῶν· ἠδίκησας διελὼν τὸ τεῖχος, ἀλλὰ νίκη ἀπέβη.

7. Γίνεται δ' ἀντιπαράστασις ἢ ἀφ' ἑνὸς τῶν τελικῶν κεφαλαίων ἢ κατ' ἀντιπαράστασιν τρόπου ἢ κατ' ἐνδόξου κρίσιν, ἢ δήμου ἢ νόμου ἢ παραδείγματος ἢ προγονικῆς δόξης ἢ δίκης, καὶ καθόλου κατ' ἀντιπαράστασιν προσώπου ἢ πράγματος. καὶ ἀπὸ μὲν τῶν τελικῶν κεφαλαίων οὕτως· "ἐφόνευσας", "ἀλλὰ σὺν τῷ δικαίῳ, ἄξιος γὰρ ἦν"· "παράνομα γράφεις", "ἀλλὰ λυσιτελοῦντα"· καὶ ἑξῆς [τοῦ] ἐνδόξου κρίσις· τούτου δὲ καὶ οἱ νόμοι στοχάζονται· "ναί", φησί, "κερδαλέα γράφεις, ἀλλ' αἰσχρά, ἀλλὰ λυπηρά, ἀλλ' ἀλγεινά, ⟨ἀλλ'⟩ ἀσύμφορα", καὶ νόμῳ νόμος καὶ μάρτυς ἀντιπαρίσταται μάρτυρι καὶ ψήφισμα ψηφίσματι. **8.** κατ' ἀντιπαράστασιν δὲ τρόπου οὕτως γίνεται ἀντιπαράστασις· "δεῖ μισθοῦ μυεῖν, ἵνα εὐπορῶμεν"· τούτῳ ἀντιπαρεστήσομεν ἕτερον τρόπον βελτίω· ἑτέρως | χρήματα δεῖ πορίζειν,
272 οἷον εἰσφορὰν ἐπιγράφειν, ὡς καὶ ἐν τῷ πρὸς Λεπτίνην· "ναί", φησίν, "ἐπιλείπουσιν οἱ χορηγήσοντες διὰ τὰς ἀτελείας". εἶτα βελτίων ἕτερος τρόπος ἐπανορθώσεως· "καὶ πόσῳ βέλτιον", φησίν, "εἰς συντέλειαν ἀγαγεῖν τὰς χορηγίας, ὥσπερ τὰς τριηραρχίας" ἢ "τοὺς ἅπαντας πρὸς ἡμᾶς αὐτοὺς διαθεῖναι". **9.** γίνεται δὲ καὶ ἀντιπαράστασις κατ' ἐνδόξου κρίσιν ὅταν τῷ λεγομένῳ ὑπὸ τοῦ κατηγόρου ἢ προγόνου

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1 ἡμῖν δίδωσιν *B* ‖ 2 ἀντιπαραστάσει *B* ‖ 3 ἄλλον εὐεργέτην *B* ‖ 7 ποιεῖ] φέρει *B* | τούτῳ Sp. | ἀδοξία post 8 θεῶν *B* ‖ 10.11 δῆμος . . . νόμος . . . παραδείγματα *B* ‖ 11 ἢ[2]] καὶ *B* | δίκης] νίκης *B* ‖ 14 γράφων *B* | ἀλλὰ] ἢ *B* | del. W. ‖ 15 ⟨ἀγράφως⟩ καὶ *B* ‖ 16 ἀλλὰ λυπηρά om. *B* | add. Ha. ‖ 17 νόμος νόμῳ παρίσταται καὶ μάρτυς *B* | παρίσταται *AB*, corr. Ba. ‖ 19 εὐπορῶμεν] σχῶμεν χρήματα *B* ‖ 19.20 ἀντιπαρεστήσαμεν *B* corr. Ba. ἀντιπαρέστησα *A* ‖ 21 καὶ om. *B* ‖ 22 ἐπιλείψουσιν Ba. | εἶτα Ha. ἢ *AB*, quod del. Sp. ἦν Ba. εἶτα ἦν ἂν Ha. (76) ‖ 24.25 τοὺς – αὑτοὺς *B* et D. (praeter | ἅπαντας ⟨ἀπίστως⟩ D.) πάντας περὶ ἡμᾶς ἀπίστους *A* ‖ 25 καὶ om. *B* | κατ' Ba. καὶ *A* om. *B* ‖ 26 ἐνδόξου om. *B* | κρίσεως *AB*, corr. Ba. | ὑπὸ] ἀπὸ *B* | προγόνων *B*

men to pay for choruses." This he first refuted by meiosis, as was shown above; then by antiparastasis of what is inappropriate: it provides men to pay for choruses but leads to shame, but deprives us of benefactors. And by antiparastasis of good things, as in the following: "You did wrong in burning the ships"; (to which the reply is) "But I secured victory, but I prevented flight." Antiparastasis is found for the most part from results; for example, "Closing the eyes for pay creates wealth";[162] "But what will result is dishonor and the anger from the gods." "You did wrong in dismantling the walls"; "But victory resulted."

7. Antiparastasis is derived either from one of the "final headings"[163] or by a countering of ways and means or by judgment of what is honorable, or from the character of a people or from a law or an example or ancestral fame or justice, and in general by antiparastasis of a person or a thing. An instance from the final headings is the following: "You killed"; "But with justice, for he deserved it"; "You are introducing an illegal motion"; "But a profitable one." And next judgment of what is honorable; the laws aim at this as well; "Yes," says (the speaker), "you are introducing a profitable motion but one that is shameful, distressing, painful, inexpedient," and law is set against law and witness against witness and decree against decree. **8.** Antiparastasis of how to accomplish something takes this form: "There is need to close eyes for pay in order that we may be rich";[164] we shall counter this with another, better way, (saying that) money should be provided in a different way, for example by imposing a tax, as in *Against Leptines*: "Yes," (Demosthenes) says, "producers of choruses are lacking because of immunity." Then (he proposes) another better way of correcting the problem: "And how much better," he says, "to change the choregia to joint subscription as is done with the trierarchia," rather than "to make all (wealthy men) distrustful toward us."[165] **9.** Antiparastasis in terms of judgment of what is honorable occurs whenever we oppose to what is said by the accuser

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[162] Cf. above, 2.13, 19; 3.11; below 5.8.

[163] "Final headings," or "headings of purpose," will be discussed in chapter 9, below; they are principles of legality, justice, advantage, honor, etc.

[164] Cf. above 2.13, 19; 3.11; 5.6.

[165] Cf. Demosthenes 20.22–23.

πρᾶξιν ἢ δήμου ἢ πόλεως ἄλλης ἢ νομοθέτου ἢ προσώπου ἐνδόξου κρίσιν ἢ ὅλως παράδειγμά τι ἀντιθῶμεν, ὡς ἐν τῷ περὶ στεφάνου· “ἄνισον, φησίν, πεποίηκας τὴν συμμαχίαν, ὦ Δημόσθενες”. τούτῳ ἀντέθηκε προγόνων κρίσιν καὶ παραδείγματα· “καὶ ἐπὶ τῶν προγόνων ἐν Σαλαμῖνι διπλασίας μὲν ἡ πόλις τριήρεις παρέσχετο τῶν ἄλλων”. δεῖ δ’ ἐν ταῖς ἀντιπαραστάσεσι σκοπεῖν ὅπως τῶν ὑπὸ τοῦ ἀντιδίκου εἰρημένων τὰ ὑφ’ ἡμῶν λεγόμενα εὐλογώτερα φαίνηται.

10. Γίνεται δὲ λύσις καὶ ἐν διανοίας ἐξετάσει ὅταν ἢ νομοθέτου διάνοιαν ἐξετάζωμεν, οἷον ὁ νόμος σοι ἐναντιοῦται ἢ ὁ νόμος οὐ ταύτῃ τῇ διανοίᾳ γέγραπται, | ἀλλ’ ἑτέρᾳ· δεῖ σκοπεῖν ὅπως ἂν εὔλο-
273 γος φανῇ ἡ ὑφ’ ἡμῶν λεγομένη διάνοια, οἷον· ὁ ξένος κεκώλυται ἀναβαίνειν ἐπὶ τὸ τεῖχος· εἰ ὁ νόμος κωλύει, ἐπὶ κακῷ τῆς πόλεως ἀναβαίνειν κωλύει, οὐ τὸν ἀριστεύειν μέλλοντα. **11.** γίνεται δὲ καὶ ψηφίσματος καὶ παντὸς ῥητοῦ λύσις ἐπὶ τὸ πολὺ ἐκ διανοίας ἐξετάσεως. **12.** καὶ μαρτυριῶν λύσις ἢ κατ’ ἀντιπαράστασιν, ὡς ἐδείχθη, μαρτυριῶν ἄλλων [ἢ εἰκότων] ἢ ἐκ διανοίας ἐξετάσεως· καταμαρτυρεῖ σοῦ ὁ δεῖνα [τὴν διάνοιαν] πρὸς χάριν ἢ δι’ ἔχθραν. **13.** πολλάκις δὲ καὶ ἑαυτῶν διάνοιαν παρεχόμεθα ἐν λύσει, ὃ καὶ χρωματικὸν καλοῦσί τινες, οἷον· “τυραννίδος ἐπιθυμεῖς” ἢ “διὰ τί δακρύεις;” “δακρύω ἐλεῶν τοὺς ἐν τυραννίδι καὶ τὰ ἐκ τυραννίδος κακὰ ἐνθυμούμενος”. ὥσπερ δ’ ἔφην ῥητὸν ἐκ διανοίας λύεσθαι, οὕτω καὶ διάνοιαν ἐκ ῥητοῦ, οἷον· “τῇδε τῇ διανοίᾳ ὁ νόμος γέγραπται” ἢ “οὐδαμοῦ τοῦτο τῷ ῥητῷ πρόσκειται”.

14. Γίνεται δὲ λύσις καὶ ἀπὸ τοῦ ἐναντίου καθ’ ὑπόθεσιν ὅταν

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1 πρᾶξιν] τάξιν *A* | ⟨ἢ⟩ ἐνδόξου *A* ‖ 2 παραδείγματι *AB*, corr. W. | ὑπὲρ ⟨τοῦ⟩ *B* ‖ 3 ἐποίησας *B* ‖ 4 ⟨ἢ⟩ καὶ *B* | παράδειγμα *B* ‖ 5 ⟨οἱ⟩ ἐν *A* | παρέσχετο *B* et D. παρέσχον *A* παρέσχε Ba. ‖ 7 εἰρημένων] λεγομένων *B* | ὑφ’] ἐξ *B* | εὐλογώτερον *B* | φαίνεται *B* φανεῖται Ba. ‖ 8 ἐν del. Sp. ἐκ *B* | ἐξετάσεως *B* ‖ 9 ὁ om. *B* | ἢ om. *B* | ὁ νόμος[2] post 10 γέγραπται *A* ‖ 10 ⟨καὶ⟩ δεῖ *B* | ἂν om. *B* ‖ 11 ὁ om. *B* et Hermog. ‖ 12 εἰ] ἢ *B* ‖ 12.13 ⟨τὸν⟩ ἐπὶ κακῷ ἀνιόντα τῆς πόλεως *B* ‖ 13 κωλύει om. *B* ‖ 14 ψηφίσματα *A* | τὸ om. *B* ‖ 15 μαρτύρων *B* ‖ 16 μαρτυριῶν – 19 τινες] μάρτυρος ἄλλου τῇ διανοίᾳ πρὸς χάριν ἢ δι’ ἔχθρον, πολλάκις δὲ καὶ αὐτῶν ἢ εἰκότων, ἢ ἐκ διανοίας ἐξετάσεως καταμαρτυρεῖ σου ὁ δεῖνα ἢ διάνοιαν παρεχόμεθα ἐξετάζοντες, ὃ καὶ χρωμάτιον καλοῦσιν *B* ‖ 16 del. Sp. ‖ 17 del. Sp. ‖ 20 ⟨ἢ⟩ δακρύων *B* | ἐλεῶ *B* | ἐν ⟨τῇ⟩ *B* ‖ 21 ἐνθυμούμενος ⟨ὅπερ αἰτιῶνται ἀψίνην ὅτι ἐν καταστάσει τοιαύτῃ γνώμην ἐξετάζει. τοῦτ’ ἐστὶ τὸ χρῶμα ὅπερ ἐστὶ τῶν πραγμάτων⟩ *B* ‖ 22 ἢ del. Ba. ἀλλ’ Ha. (76)

either the action of an ancestor or a people or another city or the judgment of a lawgiver or honorable person or, in short, some example, as in *On the Crown*: "Aeschines says, 'Demosthenes, you have made the alliance unequal.'"[166] To this he opposed the judgment and examples of ancestors: "And in the time of our ancestors at Salamis the city furnished twice as many trieremes as the others." In antiparastasis one should consider how what is said by us may seem more reasonable than what is said by the opponent.

10. Refutation also takes place in scrutiny of intent whenever we scrutinize the intent of a lawgiver; for example, the law opposes you or the law has not been written with this intent but with another one. One should consider how intent as we describe it may seem reasonable; for example, a stranger is prevented from mounting the city wall;[167] if the law prevents this, it prevents one mounting to do harm to the city, not one who is going to act as the city's champion. **11.** Refutation of (the application of) both a written decree and every oral command comes for the most part from scrutiny of intent. **12.** And refutation of witnesses (comes) either by antiparastasis of other witnesses, as has been explained, or from scutiny of intent: (you can say that) whoever it may be that bears witness against you does it for a favor (to the opponent) or out of hostility (to you). **13.** Often also we describe our own intent in refutation, a technique which some (rhetoricians) call a "colored" presentation;[168] for example, "You long for tyranny," or "Why are you crying?" "I am crying from pity for those living under tyranny and because I know the evils of tyranny."[169] Just as I said that (application of) an oral command is refuted on the basis of intent, so also intent (is refuted) from an oral command; for example, "The law has been written with this intent" or "Nowhere is this implied in the command."

14. Refutation also comes from a reversal of the hypothesis whenever

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[166] Aeschines (3.147) accused Demosthenes of saddling Athens with two-thirds of the costs of the war while only one-third was borne by Thebes. Demosthenes (18.238) replies to this, but not in the exact words Apsines here attributes to him.

[167] One of the commonest themes of declamation; cf. Cicero, *On the* Orator 2.100; Quintilian 4.4.4. and 7.6.6; Hermogenes, *On Stases*, p. 82, 11–13 ed. Rabe, etc.

[168] Cf. above, 1.77.

[169] For the theme, see 2.2 above. The B manuscript tradition here adds: "They criticize Apsines because he scrutinized intent in a statement of this sort. This is the 'color' which belongs to the subject." Cf. item 7 in the textual section of the Introduction.

οὗ ἐγκαλούμεθα τὸ ἐναντίον δείξωμεν ὡς ἀλυσιτελὲς ἢ ὡς οὐκ ἐνδε-
274 χόμενον, ὡς ἐν τῷ περὶ στε | φάνου· "ἄνισον πεποίηκας τὴν συμμαχίαν, ὦ Δημόσθενες". τοῦτο ἐλύθη πρῶτον ἐκ παραδείγματος, ὅτι καὶ ἐπὶ τῶν προγόνων ἐπράχθη, εἶτα καὶ ἐκ τοῦ ἐναντίου καθ' ὑπόθεσιν· "εἰ δέ μου περὶ τούτων ἀκριβολογουμένου ἀπῆλθον αἱ πόλεις καὶ προσέθεντο Φιλίππῳ, τί ποιεῖν ἂν ἢ τί λέγειν οἴεσθε τοὺς ἀσεβεῖς τούτους ἀνθρώπους;" καὶ πάλιν προϊών που λέγει πρὸς τὴν ἀντίθεσιν· "ἀλλ' ἄτολμος εἶ καὶ μαλακός", διότι πταῖσμα γέγονε διὰ τὴν ἔξοδον τὴν μετὰ Θηβαίων ἀπὸ τοῦ ἐναντίου λαβών· "εἰ δὲ νῦν μετὰ Θηβαίων ἡμῖν ἀγωνιζομένοις οὕτως εἵμαρτο πρᾶξαι, τί ἂν ἐγένετο, εἰ μηδὲ τούτους ἔσχομεν συμμάχους, καὶ εἰ νῦν τριῶν ἡμερῶν ὁδὸν ἀπὸ τῆς Ἀττικῆς τῆς μάχης γενομένης τοσοῦτος περιέστη φόβος, τί ἄν, εἴ που τῆς Ἀττικῆς ταὐτὸ τοῦτο πάθος ἐγένετο, προσδοκῆσαι ἐχρῆν;" **15.** καὶ πάλιν ἐν τῷ κατὰ Μειδίου, "ὕβρις τὸ πρᾶγμα, ὦ Δημόσθενες, οὐκ ἀσέβεια", ἡ λύσις ἐκ τοῦ ἐναντίου καθ' ὑπόθεσιν· "ἐγὼ δ' οἶδα ὅτι εἰ μὴ προὐβαλόμην αὐτόν, ἀλλ' ἐδικαζόμην, οὑναντίος ἧκεν ἂν εὐθύς μοι λόγος, ὡς εἴπερ ἦν τι τούτων ἀληθές, προβάλλεσθαί μ' ἔδει".

16. Γίνεται δὲ λύσις καὶ ἐκ διαφορᾶς· οἷον ἐν τῷ πρὸς Λεπτίνην, "Λακεδαιμόνιοι", φησί, "καὶ Θηβαῖοι οὐδένα τιμῶσι". τούτου ἐκ διαφορᾶς ἡ λύσις, ὅτι "ἀνομοίου πράγματος ἐμνήσθης· Λακεδαιμόνιοι
275 γὰρ καὶ ἡμεῖς | καὶ Θηβαῖοι οὔτε νόμοις οὔτε ἔθεσιν οὔτε πολιτείᾳ τῇ αὐτῇ χρώμεθα". καὶ πλέον ἕξει τὸ εἶδος ἐν ταῖς λύσεσι ταῖς πρὸς παράδειγμα.

17. Γίνεται δὲ καὶ ἐκ τοῦ ὁμοίου ἢ συλλογιστικῶς λύσις, ὡς

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1 οὗ] οὖν *B* | ἐκκαλούμεθα *B* || 4 ἐκ] ἀπὸ *B* | ὑπέρθεσιν B^{c}_{1} || 5 δέ] τότε D. (codd. SAF^{a}Q) ποτε D. (codd. F^{c}Y) | ἐμοῦ *B* || 6 τί^{2} *B* et D. om. *A* | οἴεσθε om. *B* et D. (codd. SF) post λέγειν D. (cod. A) post τουτουσί D. (cod. Y) || 6.7 ἀνθρώπους τουτουσί D. || 7.8 ἀλλ' – μαλακός om. *B* || 8 ὅτι *B* || 9 δὲ νῦν om. D. || 10 τί – ἐγένετο] τί χρὴ προσδοκεῖν D. || 11 εἰ om. *B* | ὁδὸν post 12 Ἀττικῆς D. (cod. S) || 12 περίεστι *B* περιέστη post ⟨κίνδυνος καὶ⟩ φόβος D. || 13 Ἀττικῆς] χώρας D. | ἐγένετο om. *B* συνέβη D. | χρὴ *B* χρῆν D. || 15 ⟨κατ'⟩ ἀσέβειαν *B* | ἐκ] ἀπὸ *B* || 16 προὐβαλλόμην *A*, corr. Fi. ex D. προὐκαλόμην *B* | ἀλλ' ἐδικαζόμην *B* et D. om. *A* | ἧκεν – εὐθύς *B* et D. ἂν εὐθέως ἧκέ *A* || 17 τί τούτων ἦν ἀληθές *A* | προβαλέσθαι D. (codd. AFYP) | με δεῖ *A*, corr. Sp. ex D. μ' ἐχρῆν *B* || 18 καὶ om. *B* || 20 ὅτι] ἢ *B* || 20.21 Θηβαῖοι καὶ Λακεδαιμόνιοι καὶ ἡμεῖς D. || 21 καὶ ἡμεῖς post θηβαῖοι *B* | οὔτε^{2} – 22 χρώμεθα] τοῖς αὐτοῖς χρώμεθα *B* χρώμεθα τοῖς αὐτοῖς οὔτε πολιτείᾳ D. || 22 ἕξειν *B* | εἶδος] τοιοῦτον *B* | ταῖς^{2}] τὸ *B* || 24 καὶ om. *B*

we show that the opposite of what has been alleged against us is not profitable or not possible, as in *On the Crown*: "You, Demosthenes, have made the alliance unequal."[170] This was refuted first from an example, that this was done as well in the times of our ancestors, and then from reversal of the hypothesis: "But if, while I haggled over details, the (other) cities went off and joined Philip . . . what do you think these impious men would have done or said?"[171] And going on again somewhere he speaks to the objection: "But you are cowardly and weak,"[172] taking his argument from the opposite, since a misfortune has happened as a result of the campaign with the Thebans: "But if the result was fated in this way when we had the Thebans fighting with us, what would have happened if we did not have them as allies at all . . . and if now when the battle took place three days journey from Attica so much fear has surrounded us, what must we have expected if this same suffering had taken place somewhere in Attica?"[173] **15.** And again, in the speech *Against Meidias*: "The act, Demosthenes, was hybris, not impiety," (where) the refutation is by reversal of the hypothesis: "But I know that if I had not accused him of a crime and instead began a civil action, the opposite argument would immediately have been used against me, that if there was any truth in the charges I ought to have accused him of a crime."[174]

16. Refutation also occurs from making a distinction; for example, in *Against Leptines* (the opponent) says, "the Lacedaimonians and Thebans honor no one." The refutation of this is from making a distinction, because "You have mentioned something that is not comparable; for Lacedaimonians and we and Thebans do not have the same laws and customs and form of government."[175] And there will be additional examples of this species of argument in refutations of an example.

17. Refutation also comes from what is similar or argued syllogistically,[176]

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170 Cf. above, 5.9.
171 Demosthenes 18.240, with omission of one clause.
172 The statement is found in Demosthenes 8.68 and 19.206 but not in *On the Crown*.
173 Demosthenes 18.195, with changes and omissions.
174 Demosthenes 21.26, with minor changes.
175 Demosthenes 20.105, with minor changes.
176 Here and elsewhere "syllogistically" is used in the sense found in stasis theory: arguing that one thing is the same as another or falls under the same law; cf. Quintilian 7.3.11 and 7.8; Heath, p. 250: "assimilation."

ἐπ' ἐκείνου· ὁ νόμος κελεύει τὸν ἐξ ἑταίρας μὴ λέγειν, [ἢ] ἴσον τούτῳ [καὶ ὅμοιον τὸ] κωλύειν τὸν ἐκ πόρνου γεγονότα· ὁμοίως γὰρ καὶ οὗτος ἐπονείδιστος ἐκ γένους καὶ ἐν ἀσελγείᾳ τέθραπται· καὶ ἐξῆς κατὰ αὔξησιν, ὅτι μεῖζόν ἐστι.

18. Καὶ ἡ εἰς ἄτοπον ἀπαγωγὴ ἰδέα λύσεων οὐκ ἀγεννὴς ὅταν λέγωμεν ὅτι κατὰ τοῦτον τὸν λόγον πολλῶν καὶ ἄλλων ἀποστατέον, καὶ εἰς ἀπέραντον προβήσεται, ὡς ἐν τῷ πρὸς Λεπτίνην "ἐξαπατᾶται (φησὶν) ὁ δῆμος, καὶ διὰ τοῦτο οὕτως ἔθηκα τὸν νόμον"· τοῦτο ἔλυσε τῇ εἰς ἄτοπον ἀπαγωγῇ χρησάμενος· "τί οὖν κωλύει πάντα ἀνῃρῆσθαι κατὰ τοῦτον τὸν λόγον; οὐ γὰρ ἔστιν ἐφ' ὅτῳ τοῦτο οὐ πεπόνθατε τῶν πάντων, ἀλλὰ καὶ ψηφίσματα πολλὰ πολλάκις ἐξαπατηθέντες ἐψηφίσασθε, καὶ ὅλως ἐν (οἶμαι) πολλοῖς οἷς πράττετε καὶ τοιοῦτό τι συμβαίνειν ἀνάγκη". καὶ πάλιν ἐν ἐκείνῳ τῷ ζητήματι· "ἀποστατέον (φησὶ) τῶν γάμων ἡμῖν διὰ τὰ προσόντα λυπηρά· τί οὖν κωλύσει κατὰ τοῦτον τὸν λόγον πολλῶν καὶ ἄλλων ἀποστῆναι τῶν κατὰ τὸν βίον, καὶ πολιτείας καὶ κτήσεως καὶ ἀποδημιῶν, ἐπειδὴ ἔσθ' ὅτε καὶ ἐν τούτοις λυπηρόν τι συμβαίνει;"·

276 | **19.** Γίνονται δὲ λύσεις καὶ ἐκ τοῦ ἐλλιποῦς ἢ παραγραφικῶς ἢ κατὰ χρόνον ἢ τόπον ἢ κατὰ πρόσωπον.

20. Γίνεται λύσις καὶ μεταστατικῶς ἢ ἐπὶ τὰ ἐν ἡμῖν πάθη συγγνωστά, οἷον· "ἀδικεῖς", φησίν, "ὑβρίσας ⟨***⟩"· [ἢ] συγγνωστῶς διὰ μέθην ἢ διὰ μανίαν. ἐπὶ τὰ ἐκτὸς δέ, ὡς ἐν τῷ περὶ τοῦ στεφάνου· "ἥττης γέγονας αἴτιος, ὦ Δημόσθενες· κυρία τούτου ἡ τύχη". ἔτι δ' ἔστιν ὅτε καὶ λύσις λύσει συνεμπίπτει, καὶ ἡ μέθοδος τῇ ἀνατροπῇ ἐκ τῶν αὐτῶν ἐνίοτε ὁρμᾶσθαι δοκεῖ. οὐ χρὴ δὲ θαυμάζειν, ἐπεὶ καὶ στάσις στάσει συνεμπίπτει.

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1 ἐν ἐκείνῳ *A* | delevi ἀλλ' Ba. | τούτου *B* || 2 del. Sp. | τὸ om. *A* | κωλύειν ⟨τὸν νόμον⟩ *B* || 3 ἐκ γένους ἐπονείδιστος *B* | ἐν om. *B* | ἐντέθραπται *B* || 4 ὅτι ⟨καὶ⟩ *B* || 6 καὶ ἄλλων πολλῶν *A* || 9 κωλύει *A* et D. κωλύσει *B* || 10 ὅτου D. || 11 πολλὰ *A* et D. om. *B* || 12 ἐψηφίσασθε *A* ἐχειροτονήσατε *B* κεχειροτονήκατε D. | ἐν W. et D. ἓν *AB* | τοιοῦτόν *B* || 14 κωλύσει post 15 λόγον *A* || 18 γίνεται . . . λύσις Sp. | δὲ om. *A* || 19 τόπον] τρόπον *B* | ἢ – πρόσωπον del. Sp. || 20 γίνονται λύσεις *B* | ἢ del. Volkmann || 20.21 συγγνωστὰ ⟨ἢ ἐπὶ τὰ ἐκτός· καὶ ἐπὶ τὰ ἐν ἡμῖν πάθη⟩ Ba. || 21 lac. indic. Volkmann | del. Ha. ἀλλὰ Ba. | συγγνωστὸς *AB*, corr. Volkmann || 22 τοῦ del. Ald. || 23 αἴτιος γέγονας *B* | ὦ om. *B* | ⟨ἡ⟩ κυρία *B* | τούτων Fi. | ἔτι δ' om. *B* del. Fi. || 25 ⟨καὶ⟩ οὐ *B* | δὲ om. *B*

as in the following: The law forbids the son of a courtesan to speak in public; that is equal to forbidding the son of a male prostitute; for such a person is similarly shameful from birth and has been reared in licentiousness. And then by auxesis (it can be argued) that it is worse.

18. Also, reduction to what is absurd is no mean form of refutation whenever we say that by this reasoning one should refrain from many other things, and it will be stretched indefinitely, as in *Against Leptines*: "The public is (easily) deceived, (my opponent) says, and because of this I framed the law in the way I did"; he refuted this using reduction to what is impossible: "What then prevents (you) from being deprived of all (your rights) by this reasoning? For of all of them there is none in which you have not experienced this, but often, too, you have passed many decrees when deceived, . . . and generally, I think, in many of the things you do it is also necessary for something of this sort to happen."[177] And again in that declamation (where the speaker says), "We should according to my opponent refrain from marriage because of the attendant difficulties. What, then, by this reasoning, will prevent us from giving up many other things in life also, the constitution and property and foreign travel, since sometimes some difficulty occurs in these?"

19. Refutations are also derived from what is left out or from claiming illegal suit (*paragraphē*) or on the basis of time or place or person.

20. A refutation also may take the form of objection (*metalēpsis*) or appeal to pardonable emotions (*syngnōmē*) on our part; for example: (The opponent says) "You did wrong in insulting (him)." . . . (You reply) it was pardonable because of intoxication or mental illness. There is also appeal to external factors, as in *On the Crown*: "You are less responsible, Demosthenes; fate was in control of this."[178] Sometimes also refutation coincides with refutation, and "method" sometimes seems to be set in motion from the same sources with reversal.[179] One should not wonder at this, since stasis also coincides with stasis.

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[177] Demosthenes 20.3, with minor changes and omissions; the *Scholia Demosthenica* (20.4, 16a, p. 99 ed. Dilts) cite Apsines and Aspasius's view of *reductio ad absurdum* in this passage.

[178] An adaptation of Demosthenes 18.207; on transference vs. mitigation, see Heath, p. 129.

[179] This probably means that both sides sometimes use the same techniques of refutation, just as both sides sometimes identify the question at issue as the same, legality or quality, for example. There is no need to differentiate techniques of refutation as used by the prosecutor in anticipation of the defense from those used by the defense.

21. Ἡμεῖς δὲ τοὺς τόπους τῶν λύσεών σοι παρεχόμεθα, οὓς εἰδὼς ῥᾷον εὐπορήσεις λύσεων. ἔτι δὲ κἀκεῖνο χρή σε εἰδέναι, ὅτι οὐ πάσαις ταῖς λύσεσι χρῆσθαι ῥᾴδιον, ἀλλὰ ταῖς ἐμπιπτούσαις. ἔστω δὴ καὶ ἀντίθεσις ἐπὶ τῶν ὀμοσάντων μὴ γῆμαι καὶ κρινομένων, ὅτι πολλὰ λυπηρὰ τοῖς γάμοις παρακολουθεῖ, καὶ γυναικῶν ἀσέλγεια καὶ παίδων πονηρία. ἐνταῦθα οὐ δυνάμεθα κατὰ ἀνατροπὴν ἀπαντῆσαι, ὅτι οὐδὲν λυπηρὸν συμβαίνει· ψεῦδος γάρ, ἀλλὰ μεθοδεύω πρῶτον αὐτὸ κατὰ μείωσιν· οὐ πᾶσι τὰ αὐτά. κατὰ ἀντιπαράστασιν ἀγαθοῦ, *277* οὐ δεῖ τὰ προσόντα λυπηρὰ μόνον σκοπεῖν, ἀλλὰ καὶ τὰ ἀγαθά· | ἔστι δὲ ταῦτα παιδοποιΐα, διαδοχὴ γένους, κλήρου, πολιτείας, τὸ γηροκομίαν ἕξειν. εἶτα κατὰ αὔξησιν καὶ μείζω τὰ ἀγαθὰ τῶν λυπηρῶν. εἶτα ἀντιπαραστάσει τρόπου· χρὴ δὲ δι' ἑτέρου τρόπου τὰ ἄτοπα φυλάττεσθαι, σωφρονίζειν τὰ γύναια, τοὺς παῖδας ἀμείνους ποιεῖν τῇ ἀγωγῇ, τοῖς ἐπιτηδεύμασιν. εἶτα κατὰ ἐνδόξου κρίσιν· οὕτω πᾶσι τοῖς κατὰ τὴν πόλιν δοκεῖ, οὕτω καὶ τοῖς νόμοις οἳ περὶ γάμων διαλέγονται, οὕτω πᾶσιν ἀνθρώποις. εἶτα διανοίας ἐξετάσει· οὐ ταύτῃ τῇ διανοίᾳ ὤμοσαν, ἀλλ' ἀσελγείας καὶ μοιχειῶν ὑπόθεσίς ἐστιν αὐτοῖς ὁ ὅρκος. εἶτ' ἀπὸ τοῦ ἐναντίου· εἰ τὸ γαμεῖν ἔχει τινὰ λυπηρά, πόσῳ τὸ μὴ γαμεῖν λυπηρότερον, τὸ εἶναι ἄοικον ἀνέστιον ἄπαιδα οὐχ αὑτῷ οὐ πόλει χρήσιμον. εἶτα τῇ εἰς ἄτοπον ἀπαγωγῇ· ὅτι καὶ ἄλλα πολλὰ τῶν κατὰ τὸν βίον ἐπιτηδευμάτων κατὰ τοῦτον τὸν λόγον ἀναιρήσομεν, οἷς τι τῶν λυπηρῶν πρόσεστιν. εἶτα μεταστατικῶς· τὸ μὲν δυστυχῆσαι περὶ γάμον τύχης ἐστὶν ἔγκλημα, τὸ δ' ἄγαμον εἶναι γνώμης πονηρία. εἶτα ἐξ ἀποβάσεως· τί συμβήσεται, εἰ τούσδε καὶ ἄλλοι μιμήσονται; ἔφαμεν δὲ τὸ τῆς ἀντιπαραστάσεως καὶ τὴν ἀπόβασιν εἶναι.

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2 ῥάδιον *B* | λύσεως *B* || 4 ἀντίθεσις ⟨ἡμῶν ἐκείνη⟩ *B* | ὁμοσάντων *AB* corr. W. || 5 ἀκολουθεῖ *B* || 6 δύναμαι *B* || 7.8 αὐτὸ πρῶτον *B* || 8 τὰ αὐτά] ταῦτα *B* | ⟨εἶτα⟩ κατὰ Ba. || 9 οὐ δεῖ] οὐδὲ *B* | σκοπεῖν ⟨δεῖ⟩ *B* || 10 κλήρου γένους *B* || 10.11 γηροκῶμον *B* || 11 ἔχειν *B* || 12 ⟨κατὰ⟩ ἀντιπαραστάσιν *B* | ⟨καὶ⟩ χρὴ *B* || 13 τὰς γυναικὰς *B* || 14 ⟨διὰ⟩ τῆς ἀγωγῆς *B* | ⟨διὰ⟩ τῶν ἐπιτηδευμάτων *B* | πᾶσι] καὶ τοῖς ἄλλοις *B* || 15 οὕτω καὶ om. *B* || 16 ⟨καὶ⟩ πᾶσι *B* | ἀνθρώποις ⟨νενόμισται⟩ *B* | ἐξέτασις *AB*, corr. Ba. | ⟨ἢ⟩ οὐ *B* || 17 ἐστιν ὑπόθεσις *B* || 18 λυπηρότερον post 19 πόσῳ *B* || 19 τὸ] ἀλλ' *B* | ⟨τὸ⟩ ἀνέστιον *A* || 20 ἑαυτῷ *B* | ἡ . . . ἀπαγωγή *A* || 22 ἀναιρήσουσιν *B* || 23 δυστυχεῖν *B* | γάμων *B* | ἐστὶν] τὸ *A* 'fort. abundat' Ha. || 25 μιμήσονται] ζηλώσουσιν *B* | τὸ om. *B*

21. We are providing you with topics of refutation; knowing them you will more easily have a supply of refutations. But it is necessary for you to understand that it is not easy to use all refutations, only those that are suitable (to a particular case). As an example, take a reply to those swearing not to marry and being brought to court;[180] (they will say) that many difficulties are attendant on marriages, both the wantonness of women and the wickedness of children. In this case we cannot answer by reversing the statement, to the effect that nothing troublesome results, for it is false, but I apply "method," first by meiosis: the same results do not follow in all cases. Then by antiparastasis of what is good: there is no need to look only at the attendant difficulties, but (look) also at the good things; these are the procreation of children, the continuation of the family, of the estate, of the polity, having a future provision for one's old age. Then by auxesis, (showing) that the good things are greater than the difficulties. Then by antiparastasis based on way of life: one should guard against whatever is inappropriate by a different way of life, one should chasten women's weaknesses, make children better by discipline, by cultivation of character. Then by judgment of what is honorable: this is what seems best to all in the city, to the laws that speak of marriage, to all mankind. Then by scrutiny of intent: they did not take the oath (not to marry) with the intent they allege but their oath is an excuse for licentiousness and adulteries. Then by argument from the opposite: if marriage has some difficulties, how much more painful is it not to marry; to be without a household, without a family hearth, without a son is not useful to oneself nor to the city. Then by inference (*apagōgē*) to what is impossible: (saying) that by this argument we shall abolish many other customs in life which have some attendant difficulties. Then by objection (*metalēpsis*): to be unfortunate in marriage is a complaint against fate, to be unmarried is mental wickedness. Then from result: what will happen if others also imitate them? But we said that antiparastasis is also a matter of result.[181]

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[180] A common theme; cf., e.g., above, 1.32, Hermogenes, *On Stases* p. 44, 4–5 ed. Rabe; Heath pp. 81–82. The next sentence seems to refer to Apsines' own treatment of the theme.
[181] Cf. above, 5.6.

278 **22.** Χρὴ δὲ τὰς μὲν ἀσθενεστέρας λύσεις προτέρας | τιθέναι, τὰς δ' ἰσχυροτέρας δευτέρας· εἰ γὰρ αἱ ἰσχυρότεραι πρότεραι τεθεῖεν, οὐκέτι χώραν ἕξουσιν αἱ ἀσθενέστεραι. εἰσάγονται δ' αἱ μὲν ἀσθενέστεραι ὡς ἐπὶ τὸ πλεῖστον κατὰ παράλειψιν, αἱ δ' ἰσχυρότεραι ὡς ἐπὶ τὸ πλεῖστον προηγουμένως, ἐπισημαινομένων ἡμῶν τὰς δυνάμεις αὐτῶν. ἐνίοτε μέντοι καὶ αἱ ἰσχυρότεραι κατὰ παράλειψιν τίθενται ἐν δευτερολογίᾳ ὅταν ὦσι προειρημέναι, ὡς ἐν τῷ πρὸς Λεπτίνην· "ἐγὼ δ' ὅτι μὲν τινῶν κατηγοροῦντα πάντας ἀφαιρεῖσθαι τῶν ἀτόπων ἐστί, παραλείψω". **23.** ἐνίοτε δὲ καὶ συνεισάγονται ταῖς ἀντιθέσεσιν αἱ λύσεις, ὡς ἐν τῷ Παραπρεσβείας· "οὕτω τοίνυν πολλὰ καὶ δεινὰ καὶ πάντα καθ' ὑμῶν πεπρεσβευκὼς περιϊὼν λέγει, 'τί δ' ἂν εἴποις περὶ Δημοσθένους, ὃς τῶν συμπρέσβεων κατηγορεῖ;'" ἔξεστι γάρ σοι ἀνατρέψαι τὴν εἰσαγωγὴν καὶ ποιῆσαι λύσιν· "κατηγορεῖς τῶν συμπρέσβεων". "ναί, πολλὰ γὰρ καὶ δεινὰ πεπρεσβεύκασι". **24.** πολλάκις τῇ εἰσαγωγῇ τῆς ἀντιθέσεως συνεισάγεται ἡ λύσις καὶ ἔμφασις ὅλης λύσεως γίνεται δι' ἑνὸς ῥήματος, ὡς ἐν τῷ περὶ τοῦ στεφάνου· "εἰ δὲ λέγεις τὰ πρὸς Θηβαίους δίκαια, Αἰσχίνη, ἢ περὶ τῶν ἴσων νυνὶ διαλέγῃ". τὸ γὰρ νυνὶ καὶ ἀντὶ λύσεως ὅλης ἤρκει· ἐχρῆν γὰρ καὶ τότε. **25.** διττὴ δ' ἡ χρῆσις παρὰ τῷ Δημοσθένει· ἢ γὰρ προτάττει τὸ ἐξ ἀνατροπῆς καὶ ἐπάγει τὸ ἐκ μεθόδου συγχωρήσας, εἶτα περιτρέψας
279 ὡς ἐν τῷ κατὰ Ἀνδρο | τίωνος· "ἐγὼ δ' οἶμαι μὲν οὐχὶ λέγειν αὐτὸν ἀληθῆ, μᾶλλον δ' οἶδα σαφῶς". ἄχρι τούτου ὡς ἔχων ἀνατρέψαι ἀπέφηνεν. εἶτα ἑξῆς συγχωρήσας περιέτρεψεν. "οὐ μὴν ἀλλ' εἰ τοῦτο τοιοῦτόν ἐστι τὰ μάλιστα, ὁ νόμος δὲ λέγει τἀναντία". εἶτα περιτρέψας ὡς ἐν ἐκείνῳ· "ἐγὼ δέ, εἰ τοῦτο τοιοῦτόν ἐστιν, οὐκ ἔχω ὅ τι μεῖζον κατηγορήσω". εἶτα ἑξῆς κατὰ ἀνατροπήν· "οὐ μὴν ἀλλ' ὅτι καὶ φιλίας ἀρχὴ συμφερούσης ἡμῖν οὕτω μᾶλλον".

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2 ἰσχυρὰς . . . ἰσχυραὶ *B* | ⟨δεύτεραι δὲ αἱ ἀσθενέστεραι,⟩ οὐκέτι *B* ‖ 3 ἔχουσιν *B* ‖ 4 ὡς – πλεῖστον om. *B* ‖ 6 μέντοι] δὲ *B* | ἰσχυραὶ *B* | ἐκ παραλείψεως *B* | ἐν – 7 προειρημέναι om. *B* ‖ 8 τῶν – 9 παραλείψω] om. *B* τὴν δωρεὰν τῶν ἀδίκων ἐστίν, ἐάσω D. ‖ 9 δὲ om. *A* ‖ 10 τῷ ⟨τῆς⟩ *B* | πολλὰ – δεινὰ] αἰσχρὰ καὶ πολλὰ D. ‖ 11 περιὼν D. ‖ 12.13 ἀποστρέψαι *B* ἀναστρέψαι Fi. ‖ 13 λύσιν ποιῆσαι *B* ‖ 14 ἐπρέσβευσαν *B* ‖ 15 ὅλως *A*, corr. Fi. ὅλη *B* ‖ 16 τοῦ del. Ha. ‖ 17 ⟨ὡς⟩ περὶ Ba. ‖ 18 καὶ[2] om. *B* ‖ 19 ἡ om. *B* | ⟨καὶ⟩ παρὰ *B* ‖ 22 ⟨τὰ⟩ ἀληθῆ *B* | δ' ⟨εὖ⟩ *B* | μέχρι *B* ‖ 23 ἐνέφηνεν *B* ὑπέφηνεν Ba. ‖ 24 τὰ – 25 ἐστιν (ὁμ.) om. *A* ‖ 25 ὅ τι] τί *B* ‖ 26 ante εἶτα lac. coni. Ba.

22. One should put the weaker refutations first, the stronger second; for if the stronger be placed first the weaker will no longer have a place. And the weaker, for the most part, are introduced in a paraleipsis, while the stronger, for the most part, are introduced directly, when we stress their force. Sometimes, however, the stronger are stated in a paraleipsis in a second speech when they have been previously voiced, as in *Against Leptines*: "I pass over the fact that it is inappropriate to take away the privileges of all when accusing some."[182] **23.** Sometimes, of course, refutations are introduced together with objections, as in *On the False Embassy*: "Although as an ambassador he has done so many dreadful things, even all dreadful things against you, he goes around remarking, 'What would you say about Demosthenes, who prosecutes his fellow ambassadors?'"[183] You can reverse the inference and create a refutation: "You are prosecuting fellow ambassadors." "Yes; for they have done many dreadful things on their embassy." **24.** Often the refutation is brought in with the introduction of the objection and there is emphasis on the whole refutation through use of a single word, as in *On the Crown*: "If you mention justice in regard to Thebes, Aeschines, . . . or speak now about equality. . . ."[184] The word "now" suffices for the whole refutation; for he should have done it at the time. **25.** There is a double usage in Demosthenes; for he first draws up a refutation from reversal and brings in refutation from method, granting a point, then turns around as in *Against Androtion*: "But I think he does not tell the truth, or rather I know it clearly."[185] Up to this point he has denied the claim since he is able to reverse it. Then, granting the point, he turned it around. "But even if this were absolutely such (as he claims), where the law says the opposite. . . ." Then turning around as in the following: "But, if this is so, I have no greater accusation to make."[186] Then next by reversal: "(But I shall show) that it is also the beginning of a friendship even more advantageous to us."

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[182] Demosthenes 20.2. The argument had been made by Phormio in a previous speech.
[183] Demosthenes 19.188. Cf. above, 4.5.
[184] Demosthenes 18.238.
[185] Demosthenes 22.6. In section 5 Demosthenes takes the opposite view from that of Androtion and gives a reason for it; in section 6 he then attributes a second claim to his opponent and denies its truth.
[186] Apsines implies that this and the following quotation continue what is said in *Against Androtion*; in fact, they are adapted from *On the False Embassy* 134–35.

26. Τῶν δὲ λύσεων ἁπασῶν τῶν προειρημένων αἱ μέν εἰσιν ἐξ ἰδιότητος, αἱ δ' ἐκ κοινότητος. ἐκ κοινότητος μέν, ὡς παρὰ Θουκυδίδῃ ἐκεῖνο· "ἢν δὲ λέγωσιν ὡς οὐ δίκαιον τοὺς σφετέρους ἀποίκους ὑμᾶς δέχεσθαι, μαθέτωσαν ὡς πᾶσα ἀποικία εὖ μὲν πάσχουσα τιμᾷ τὴν μητρόπολιν, ἀδικουμένη δ' ἀλλοτριοῦται". ἐκ κοινότητος ἡ λύσις· ἡ δ' ἑξῆς ἐξ ἰδιότητος· "ὡς δ' ἠδίκουν σαφές ἐστι".

6. ΠΕΡΙ ΠΑΡΑΔΕΙΓΜΑΤΟΣ

1. Παραβολὴ παραδείγματος τούτῳ διαφέρει, ὅτι ἡ μὲν παραβολὴ ἀπ' ἀψύχων ἢ ζῴων ἀλόγων λαμβάνεται· ἀπὸ μὲν ἀλόγων, ὡς παρ' Ὁμήρῳ·

1 πασῶν *B* | εἰρημένων *A* ‖ 2 παρὰ ⟨τῷ⟩ *B* ‖ 4 δέχεσθαι *B* et Th. δέξασθαι *A* | μαθέτωσαν *A* μαθόντων Th. ⟨εἶτα ἐκ κοινότητος ἡ λύσις⟩ μαθέτωσαν *B* ‖ 5 ἐκ – λύσις om. *B* del. Ha. (76) ‖ 8 ante παραβολὴ lac. coni. Ba. coll. 174.20–21 | τοῦτο *AB*, corr. Fi. | post παραβολὴ lac. coni. Fi. coll. Minuc. 9.604 W. Rufus 3.457 W. Tryphon 8.149 W. ‖ 9 ἀπ' om. *B* | ἢ] καὶ *A* | ἀπὸ – ἀλόγων om. *A*

26. In the case of all the refutations discussed above, some are particular, some universal. An example of a universal statement is that in Thucydides: "If they say that it is not just for us to receive our own colonists, let them know that every colony that is well treated honors its mother city but becomes estranged by injustice." The refutation is based on a universal premise. The next is from a particular one: "But it is clear that they were doing wrong."[187]

Although the manuscripts give no hint of a lacuna, some portion of the original text is probably lost at this point. Chapter 8, below, begins with the words "I said that the epicheireme is divided into example or enthymeme." This statement, however, is not found in our texts and the most logical place for it would be here where Apsines begins his discussions of forms of logical proof. Bake (p. 184) suggested that the beginning of the chapter on the example was lost and that it contained a brief statement such as found in Minucianus, On Epicheiremes *(Spengel-Hammer I, ii p. 341): "Epicheiremes are the things that contribute to persuasion about the question under discussion. Of epicheiremes, some take the form of paradeigms, others of enthymemes." This would seem to be the minimum addition needed to the text. It is possible, however, that a whole chapter is here lost. In Minucianus' work, the sentences quoted above are preceded by a page in which he has briefly set out the Aristotelian distinctions of non-artistic and artistic proof and the division of the latter into ethical, pathetical, and logical. The procedure of the Anonymous Seguerianus' chapter on the proof (§ 143ff.) is similar, except that there is no discussion of ethical proof. Apsines has mentioned non-artistic proof earlier and will later discuss ethos and pathos. He thus seems to be following the same tradition in which "epicheireme," literally a "grasping," is a general term for a rhetorical argument whether inductive or deductive (cf. note on Anonymous Seguerianus § 158), and which contrasts sharply with the understanding of epicheireme and enthymeme in the Hermogenic treatise* On Invention *(pp. 140–45 ed. Rabe); see Kennedy,* New History of Classical Rhetoric *pp. 212–14.*

Chapter 6. On Paradeigm

1. A *parabolē* (or comparison) differs from a *paradeigma* (or example) in this, that the parabole is taken from something inanimate or from irrational living things,[188] as in Homer:

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[187] Thucydides 1.34. The speaker is the envoy of Corcyra seeking an alliance with Athens against Corinth, Corcyra's mother city, B.C. 433.

[188] *Parabolē* (Latin *collatio* or *similitudo*) and *paradeigma* (Latin *exemplum*; cf. Quintilian 5.11.23), are forms of inductive argument. Aristotle (*Rhetoric* 2.20.1–4) divided *paradeigma* into historical and fictional, and fictional into *parabolai*, such as the analogies of Socrates, and *logoi*, such as the fables of Aesop. Cicero, *On Invention* 1.49, distinguished *imago*, setting forth likeness of *corpora* or *natura; collatio*, comparing one thing with another; and *exemplum*, supporting or weakening a case by appeal to precedent or experience and citing some person or historical example; cf. Victorinus' commentary thereon in *Rhetores Latini Minores*, ed. Halm, p. 228.

280 | ὡς δ' ὅτε τις στατὸς ἵππος ἀκοστήσας ἐπὶ φάτνῃ.

ἀπὸ δ' ἀψύχων ὡς παρὰ Δημοσθένει· "ὥσπερ γὰρ οἰκίας οἶμαι καὶ πλοίου". τὰ δὲ παραδείγματα ἐκ γεγονότων ἤδη λαμβάνεται προσώπων, ὡς παρὰ Δημοσθένει· "λέγεται κατὰ τὴν παλαιὰν ἐκείνην εὐδαιμονίαν Ἀλκιβιάδης γενέσθαι". **2.** πᾶν παράδειγμα ἔχει μὲν τὴν ὕλην ἐκ τῶν γεγονότων, λαμβάνεται δὲ ἢ ἐξ οἰκείων ἢ ἐξ ἀλλοτρίων. τὰ μὲν ἐξ οἰκείων ἀγωνιστικώτερα καὶ προσεχέστερα, καὶ τοῦτο χρὴ ἐπισημαίνεσθαι, ὡς παρὰ Δημοσθένει· "οὐ γὰρ ἀλλοτρίοις, ἀλλ' οἰκείοις ὑμῖν χρωμένοις παραδείγμασιν εὐδαίμοσιν ἔξεστι γενέσθαι". τὰ δ' ἀπ' ἀλλοτρίων προσώπων λαμβανόμενα ἔστι μὲν οὐχ ὁμοίως προσεχῆ, δεῖ δ' αὐτὰ ὅμως μὴ ἀπηρτῆσθαι. **3.** χρήσιμοι δ' ἐπ' αὐτῶν καὶ αἱ προπαραιτήσεις, ὡς ἐπ' ἐκείνου ὁ Δημοσθένης· "βούλομαι δ' ὑμῖν ἐν Λοκροῖς ὡς νομοθετοῦσι διηγήσασθαι· οὐδὲν γὰρ χείρους ἔσεσθε παράδειγμά τι ἀκηκοότες, ἄλλως τε καὶ ᾧ πόλις εὐνομουμένη χρῆται". **4.** εἰ μὲν οὖν ἀπ' ἀλλοτρίου προσώπου, ἀδόξου δὲ λαμβάνοιτο, χρὴ κατ' ἐπιτίμησιν αὐτὸ εἰσάγειν, οἷον· "αἰσχύνομαι μὰ τοὺς θεούς, εἰ Μεγαρεῖς μὲν τόδε ἔπραξαν, ὑμεῖς δ' ὄντες Ἀθηναῖοι οὐ πράξετε". **5.** εἰ δ' ἀπ' ἐνδόξου, οὕτω· "καλὸν δ' ὑμῖν ζηλῶ-
281 σαι τοὺς ἄνδρας καὶ | τὰ ἐκείνων, ἔστι δὲ ταῦτα". **6.** χρὴ δὲ τὰ παραδείγματα γνώριμα εἶναι καὶ σαφῆ καὶ μὴ πάνυ ἀρχαῖα μηδὲ μυθώδη, συνᾴδοντα δὲ τοῖς ὑποκειμένοις, καὶ μὴ ἀπομηκύνεσθαι ἄγαν, εἰ μὴ ἀπὸ μεγάλων εἴη τὸ παράδειγμα, ὁποῖον τὸ περὶ Ἀλκιβιάδου ἐν τῷ κατὰ Μειδίου.

7. Χρεία δ' ἐν προοιμίοις μὲν οὐ πάνυ τι παραδειγμάτων, ἐν δὲ τῷ ἄλλῳ λόγῳ, καὶ ἤτοι προτάττομεν τοὺς λογισμοὺς τῶν παραδειγμάτων ἢ ἐπάγομεν. **8.** ἔστι δ' ἰσχυρότατον ἐν λόγῳ τὸ παράδειγμα· λαμβάνεται δ' ἀπὸ τεσσάρων, ἀπὸ ὁμοίου, ἀπ' ἐναντίου, ἀπὸ μεί-

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1 ἀκοστήσας – φάτνῃ om. *B* ‖ 3.4 ⟨πραγμάτων⟩ λαμβάνεται ⟨ἢ⟩ προσώπων *B* ‖ 5 ἀλκιβιάδης *B* et D. ἀλκιβιάδην *A* | πᾶν ⟨δὲ⟩ *B* | μὲν ⟨οὖν⟩ *B* ‖ 7 καὶ² om. *B* ‖ 9 ὑμῖν *B* et D. (ὑμῖν praeb. post εὐδαίμοσιν *B*) ἡμῖν *A* ‖ 11 μὴ ⟨πάνυ⟩ *B* | ἀπηρτῆσαι Ba. ‖ 12 ἐν ἐκεῖνο *B* (sic) ‖ 13 ὡς ante λοκροῖς *B* ‖ 16 λαμβάνοιτο] γένοιτο *A* γίνοιτο Sp. ‖ 17 μὰ] νὴ *B* | μὲν om. *A* ‖ 18 οὐ] μὴ *B* ‖ 19 ταῦτα ⟨τινα⟩ *B* ταῦτα τίνα W. ‖ 20 μηδὲ] καὶ *B* ‖ 21 ⟨πλὴν⟩ εἰ *B* ‖ 24 ἐν – παραδειγμάτων] παραδείγματος ἐν προοιμίοις μὲν οὔ *B* ‖ 25 λόγῳ] λύσεσι Fi. ‖ 27 τεσσάρων] τῶν τρόπων *B* τῶνδε πρώτων Fi.

As when some stabled horse, corn-fed at a manger, . . .[189]

Or from inanimate things, as in Demosthenes: "For as in the case, I think, of a house and a boat. . . ."[190] Paradeigms, on the other hand, are taken from persons of the past, as in Demosthenes: "It is said that Alcibiades lived in the good old happy time. . . ."[191] **2.** Every paradeigm has its material from things that have happened, and is taken either from domestic or foreign instances. Those from domestic ones are more useful in debate and more appropriate, and it is necessary to point this out, as in Demosthenes: "For you need not use foreign examples of happiness but can use domestic ones."[192] Those taken from foreign persons are not equally appropriate but it is necessary nevertheless not to reject them. **3.** Deprecations in advance (*proparaitēseis*) are also useful, as Demosthenes does in the following: "I want to give you a description of how laws are made among the Locrians; for you will be none the worse from hearing some example, especially what a well-governed city does."[193] **4.** Now if you should take (an example) from a foreigner, and a dishonorable one, it is necessary to introduce it with censure, for example: "I am ashamed, by the gods, if Megarians did this while you, though Athenians, do not."[194] **5.** But if from an honorable person, as follows: "It is a good thing for you to imitate these men and their doings, and they are as follows." **6.** Paradeigms should be well known and clear and not too ancient nor mythical, and consonant with the subject under discussion, and they should not be too drawn out, unless the example is taken from great men, as the one about Alcibiades in (Demosthenes') speech *Against Medias*.[195]

7. There is hardly any use for paradeigms in prooemia, but (much) in the rest of a speech, and we either set out the conclusions from the examples first or we draw them by induction.[196] **8.** Paradeigm is the strongest thing in speaking and is derived from four sources: from like, from contrary,

[189] *Iliad* 15.263. On Homer as the major source of examples of simile see Quintilian 10.1.49.

[190] Demosthenes 2.10. Cf. anonymous scholia to Hermogenes in Walz VII p. 1023,21.

[191] Demosthenes 21.143.

[192] Demosthenes 3.23.

[193] Demosthenes 24.139.

[194] Cf. the contempt for Megara expressed in Demosthenes 9.74 and 23.212.

[195] Cf. Demosthenes 21.144–48; but cf. below, 6.14.

[196] Cf. Aristotle, *Rhetoric* 2.20.9: "If there are enthymemes, paradeigms should be used as witnesses, as a supplement to the enthymemes. When the paradeigms are placed first, there is the appearance of induction."

ζονος, ἀπ' ἐλάττονος. **9.** ἀπὸ ὁμοίου μέν, οἷον· "δίκην εἰσπράξασθε παρ' αὐτοῦ· καὶ γὰρ ὁ δεῖνα πρότερον τὰ ἴσα ἀδικήσας δίκην ἔδωκεν". **10.** ἀπὸ ἐναντίου δέ, οἷον· "συμφέρει σῶσαι τούσδε· καὶ γὰρ τοῖσδε μὴ βοηθήσαντες ἐβλάβητε". **11.** ἀπὸ δὲ μείζονος· "οὐκ ἄξιος οὗτος τυχεῖν τῆς τιμῆς ταύτης· ὁ δεῖνα γὰρ καὶ μείζονα εὐεργετήσας οὐκ ἔτυχεν τηλικαύτης τιμῆς". "ἔξιτε ἐπὶ τὸν πόλεμον· καὶ γὰρ οἱ πρόγονοι ὑμῶν μείζους κινδύνους ὑπέστησαν". **12.** ἀπὸ δ' ἐλάττονος· "ἀποκτείνατε τοῦτον· καὶ γὰρ οἱ πρόγονοι ὑμῶν ἐλάττω ἠδικηκότα τὸν δεῖνα ἀπέκτειναν". ἀπὸ ἐλαττόνων προσώπων, οἷον· "οἱ δεῖνες ἀσθενέστεροι ὄντες ὑμῶν τάδε ἔπραξαν".

282 **13.** Τίθεται δὲ τῶν παραδειγμάτων τὰ μὲν ἀπὸ ὡρισμέ | νων, ὡς ἐν τῷ κατὰ Μειδίου· "λέγεται τοίνυν κατὰ τὴν παλαιὰν εὐδαιμονίαν Ἀλκιβιάδης γενέσθαι". ἀορίστως δέ, οἷον εἰ λέγοις "οὐκ ἐφ' ἡμῶν μόνον, ἀλλὰ καὶ ἐκ παντὸς τοῦ χρόνου ἔθος ἔστιν ὑμῖν τοῖς κινδυνεύουσιν βοηθεῖν καὶ κοινὴν παρέχειν τὴν πόλιν".

14. Δεῖ δ' ἐν τοῖς παραδείγμασι γοργῶν σχημάτων· τῇ γὰρ ἑαυτῶν φύσει ἐστὶν ὕπτια, ἅτε δὴ ἀφηγηματικὰ ὄντα καὶ οὐ κατὰ διακοπὴν εἰσαγόμενα, ὡς ἐν ἐκείνῳ· "λέγεται κατὰ τὴν παλαιὰν εὐδαιμονίαν Ἀλκιβιάδης γενέσθαι, ᾧ σκέψασθε τίνων ὑπαρχόντων"· οὐ γάρ ἐστι διακοπή. ἢ πλαγιασμὸς ἐπάγεται, ὃς ποιεῖ εὐτονίαν, ὡς ἐν τῷ πρὸς Λεπτίνην· "λέγονται οἱ τριάκοντα χρήματα δανείσασθαι παρὰ Λακεδαιμονίων ἐπὶ τοὺς ἐν Πειραιεῖ"· εἶθ' ὁ πλαγιασμὸς εὐθέως ἕπεται· "λόγων δὲ γενομένων"· ἢ ἄλλο τι τῶν γοργῶν σχημάτων τίθεται δὴ κατὰ πλαγιασμὸν ἢ κατὰ συστροφὴν, καὶ τόνον λαμβάνει, ὡς παρὰ Δημοσθένει· "εἰ γὰρ ὅθ' ἥκομεν Εὐβοεῦσι βεβοηθηκότες". **15.** πολλάκις

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2 ἀδικήσας] δράσας *B* ‖ 3 δέδωκε *B* | δ' ἐνατίου *B* | οἷον] οὕτως *B* | συμφέρει ⟨ὑμῖν⟩ *B* ‖ 4 τοῖσδε] πρότερον *B* | βοηθήσαντας ⟨ἀμφιπολίταις⟩ *B* cf. D. 1.8 ‖ 5 ἄξιός ⟨ἐστιν⟩ *B* | καὶ γὰρ ὁ δεῖνα ⟨πρότερον⟩ *B* ‖ 6 ⟨ἢ οὕτως·⟩ ἔξιτε *B* ‖ 7 μείζονας *B* | κινδύνους] πολέμους *B* ‖ 9 ἀπέκτειναν om. *B* | ἐλάττονος προσώπου, οἷον *A*, corr. Sp. δὲ προσώπων ἐλαττόνων οὕτως *B* ‖ 11 τίθενται *B* | ἀπὸ ὡρισμένων] ὁρισμένως *B* ‖ 12 τοίνυν om. *B* | παλαιὰν ⟨ἐκείνην⟩ *B* ‖ 13 ἀορίστου *B* | οἷον om. *A* | οὐκ] καὶ οὐκέτι *B* ‖ 14 μόνον] ὄν *B* | ἔθος post ὑμῖν *B* ‖ 15 παρασχεῖν *B* ‖ 17 οὐ om. *B* ‖ 18 εἰσάγεται *B* | ἐπ' ἐκείνου *B* | παλαιὰν ⟨ἐκείνην⟩ *B* ‖ 19 ᾧ Sp. et D. om. *AB* τὸ Ba. ⟨μετὰ⟩ τὸ σκέψασθαι Fi. | σκέψασθαι *B* | τίνων ὑπαρχόντων om. *B* τίνων εὐεργεσιῶν ὑπαρχουσῶν D. | οὐ om. *B* ‖ 20 ⟨κατὰ⟩ πλαγιασμὸν *B* ‖ 21 χρήμαθ' οἱ τριάκοντα D. ‖ 22 εὐθέως ἕπεται] οὐ διὰ πολλοῦ *B* ‖ 23 γιγνομένων *AB*, corr. Sp. ex D. ‖ 23.24 δὴ – πλαγιασμὸν om. *B*

from greater, from lesser.[197] **9.** From like, for example: "Get justice from him; for so-and-so was punished earlier when he did equal wrongs." **10.** From contrary, for example: "It is advantageous to save these people; for when you did not go to the aid of these others you suffered harm." **11.** From greater: "He does not deserve to have this honor; for so-and-so did not get a like honor when he did even greater services." "Go to war; for your ancestors undertook greater dangers." **12.** From lesser: "Put him to death; for your ancestors killed so-and-so when he did less wrong." From lesser persons, for example: "Some others, though weaker than you, accomplished these things."

13. Some paradeigms are posited from specific instances, as in *Against Meidias*: "It is said that Alcibiades was born in the good old happy time."[198] Other are not specific, as if you said, "Not only in our own time but from all time it has been your custom to give aid to those in danger and to give them a share in the city."[199]

14. In paradeigms there is need of a rapid style:[200] for when they are narratives and are not introduced briefly they are suspect by their very nature, as in the following: "It is said that Alcibiades was born in the old happy time, Alcibiades whose services I want you to to consider. . . ." For this is no brief reference.[201] Or *plagiasmos*[202] is introduced, which makes for vigor, as in *Against Leptines*: "The Thirty *are said* to have borrowed money from the Lacedaimonians for use against those in the Peireus"; then the plagiasmos immediately follows: "Speeches having been made. . . ."[203] Or another of the figures of rapidity is used by varying the case of nouns or by speaking concisely, and this creates vigor, as in Demosthenes: "For if, when we came home after giving aid to the Euboeans. . . ."[204] **15.** But often

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[197] Cf. Quintilian 5.11.5–16. Hermogenes (*On Types of Style* p. 282, ed. Rabe = Wooten p. 44), gives a fuller list: "from like, from contrary, from genus, from species, from whole, from part, from the greater, the equal, the lesser." Cf. also Anonymous Seguerianus §154–55.

[198] Demosthenes 21.143. Cf. above, 6.1.

[199] Cf. Demosthenes 18.95–101.

[200] Literally, "rapid figures"; however, the only figure of speech specifically mentioned below is *plagiasmos*.

[201] Demosthenes' description of Alcibiades extends from 21.143 to 147 and is followed by a comparison of Meidias to him in 148–50. Earlier in the chapter Apsines has justified Demosthenes' passage on Alcibiades on the ground that longer examples are acceptable in the case of a famous person, but here he criticizes its length, probably to discourage students from imitating it. He regards such passages as "suspect" because they seem to be elaborated for their own sake and not to prove a point. This is the only occasion on which Apsines seems to criticize Demosthenes.

[202] *Plagiasmos* is the use of oblique grammatical cases; cf. Hermogenes, *On Types of Style*, p. 230, ed. Rabe = Wooten pp. 10–11.

[203] *Legontai*, "are said," with nominative subject, in Demosthenes 20.11 becomes *logōn genomenōn* in the genitive case in section 12.

[204] Demosthenes 1.8, where an example is briefly stated in a subordinate clause. Cf. below, 7.19.

δὲ προσπλέκεται παραδείγματα παραδείγμασιν, ἃ μὴ διαιρεθέντα ἀπ' ἀλλήλων ὑπόνοιαν ἐμποιεῖ, ἢ καὶ ὑποβάλλεται τὰ παραδείγματα. ἐνίοτε δὲ καὶ ἀτελῆ ταῦτα ἐῶμεν ἄχρι τοῦ χρησίμου μνησθέντες, ὡς
283 ἐν τῷ πρὸς | Λεπτίνην ἐν τῷ περὶ τοῦ τειχισμοῦ τοῦ Θεμιστοκλέους· "λέγεται τοίνυν ἐκεῖνος τειχίζειν εἰπών, κἂν ἀφίκηταί τις ἐκ Λακεδαίμονος, κατέχειν κελεύσας, οἴχεσθαι πρεσβεύων αὐτὸς ὡς τοὺς Λακεδαιμονίους· λόγων δὲ γινομένων ἐκεῖ καί τινων ἀπαγγελλόντων ὡς Ἀθηναῖοι τειχίζουσιν, ἀρνεῖσθαι". εἶτα οὐκ ἐπεξῆλθε διὰ τέλους τῷ παραδείγματι, ἀλλ' ἄχρι τοῦ χρησίμου εἰς τὸ προκείμενον εἰπὼν τὰ ἑξῆς εἴασεν ἐπενεγκών· "καὶ πάντες ἴσως ἀκηκόατε ὃν τρόπον ἐξαπατῆσαι λέγεται".

7. ΠΕΡΙ ΛΥΣΕΩΝ ΠΑΡΑΔΕΙΓΜΑΤΩΝ

1. Περιείληπται μὲν καὶ ταῦτα ἐν τῷ περὶ λύσεων, ἴδωμεν δὲ κἀνταῦθα ἀκριβέστερον. πᾶν παράδειγμα λύεται κατ' ἀνατροπήν, ὡς ἐπ' ἐκείνου ἐν τῷ κατ' Ἀνδροτίωνος· "φήσει τοίνυν τοῦτον ἁπάσας τὸν τρόπον εἰληφέναι τὰς βουλάς, ὅσαι πώποτε ἔχουσι παρ' ὑμῶν δωρεάν·" εἶτα κατ' ἀνατροπὴν ἡ λύσις. "ἐγὼ δ' οἶμαι μὲν οὐχὶ λέγειν αὐτὸν ἀληθῆ, μᾶλλον δ' οἶδα σαφῶς." **2.** γίνεται δὲ παραδείγματος λύσις καὶ ἐκ διαφορᾶς, ὅ ἐστι τῆς μεθόδου, ὡς ἐν τῷ κατὰ Μειδίου· "ἐπλήγη", φησίν, "ὁ πρόεδρος ὑπὸ Πολυζήλου, ὅτι μὴ | ὅμοιον
284 τό τε Μειδίου εἰς ἐμὲ καὶ τὸ Πολυζήλου εἰς πρόεδρον· πρῶτον μὲν γὰρ ὁ τὸν πρόεδρον πατάξας τρεῖς εἶχε προφάσεις, μέθην, ἔρωτα, ἄγνοιαν". εὑρίσκεται δ' ἡ διαφορὰ ἢ κατὰ γνώμην, ὡς ἐνθάδε· "ὁ μὲν Πολύζηλος", φησί, "διὰ μέθην τοῦτο ἔδρασε, Μειδίας δὲ δι'

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1 δὲ] γὰρ καὶ *B* | ἐπίπλεκται *B* | μὴ om. *B* || 2 ποιεῖ *B* | ἐξυποβάλλεται *B* ⟨ἑξῆς⟩ ὑποβάλλεται Ba. | τὰ om. *B* || 3 ταῦτα] αὐτὰ *B* || 6 πρεσβεύσων *B* | αὐτὸς om. *A* || 7 γενομένων Sp. | ἐκεῖ om. *B* || 8 τειχίζουσιν ⟨τὴν πόλιν⟩ *A* | διὰ τέλους] ὅλως *B* || 9 παραδείγματι] πράγματι *B* | μέχρι *B* | εἰς] κατὰ *B* || 10 ἀπενεγκών *B* | ἀκηκόατε *B* et D. ἐπίστασθε *A* || 12 tit. sine term. *B* || 13 λύσεως *B* || 14 πᾶν] πάλιν *B* πρῶτον μὲν Volkmann | λύεται] λέγεται ἢ *B* || 15 ἐπ' ἐκείνου om. *B* | φησὶ *A* || 15.16 τὸν τρόπον ἁπάσας *B* || 16 ἡμῶν *A* || 17 δωρεῶν *B* || 18 αὐτὸν ante οὐχὶ *B* | ἀλήθειαν D. || 20 ὅτι μὴ] ἢ οὐχ *B* || 21 ⟨τὸν⟩ πρόεδρον *B* || 22 γὰρ om. *A* || 23 ἄγνοιαν ⟨διὰ τὸ σκότους καὶ νυκτὸς τὸ πρᾶγμα γενέσθαι⟩ *B* || 24 μὲν ⟨γὰρ⟩ *B* | διὰ – ἔδρασε] τοῦτο ἔδρασε δι' ἄγνοιαν *B*

paradeigms are interwoven with (other) paradeigms, which creates suspicion unless they are distinguished from each other, or even paradeigms are tossed in under others. But sometimes too we leave them incomplete, mentioning them only to the point of usefulness, as in *Against Leptines* in the passage about Themistocles and the building of the walls (of Athens): "It is said that he told them to build the walls, and if someone came from Lacedaimon he ordered them to detain him while he himself went on his embassy to the Lacedaimonians; and while talks were going on there and some were reporting that the Athenians were building walls, he denied it."[205] Then he did not continue through to the end of the paradeigm, but telling it to the point of utility for the subject at hand, he let it go, having added what happened next: "And all of you probably have heard how he is said to have deceived them."

Chapter 7: On Refutations of Paradeigms

1. These have been included in the discussion of refutations, but here let us look at them more closely.[206] Every paradeigm is refuted by reversal, as in the following instance in *Against Androtion*: "Now he will say that all councils that have ever had a gift from you have gotten it in this way"; then refutation by reversal: "But I think he does not speak the truth, or rather I know it clearly."[207] **2.** Refutation of a paradeigm also occurs from pointing out a difference, which involves reasoning, as in *Against Meidias*: "The presiding official," he says, "was struck by Polyzelus." (Demosthenes refutes the example by saying) that "The action of Meidias toward me was not the same thing as that of Polyzelus against the presiding official; for, first, he who struck the presiding official had three excuses: drunkeness, sexual passion, and ignorance (of what he was doing because of darkness)."[208] The difference is based either on intent, as here: "Polyzelus," he says, "did this because of drunkenness, but Meidias because of hatred"; or on the occasion:

[205] Demosthenes 20.73. Note again the plagiasmos, *legetai . . . logōn ginomenōn.*
[206] Cf. Anonymous Seguerianus §187.
[207] Demosthenes 22.6.
[208] A paraphrase of Demosthenes 21.38.

ἔχθραν"· ἢ κατὰ καιρόν· "ὁ μὲν γάρ", φησίν, "ἐν δείπνῳ, ἐγὼ δ' ἐν ἱερομηνίᾳ ἐτυπτήθη"· ἢ κατὰ τόπον· "ὁ μέν γὰρ ἐν οἰκίᾳ ἐτυπτήθη, ἐγὼ δ' ἐν ἱερῷ"· ἢ κατὰ ποιότητα προσώπου, ὡς ἐν τῷ πρὸς Λεπτίνην· "Θηβαῖοι γὰρ φησὶν οὐδένα τιμῶσι", τοῦτο ἔλυσεν ἐκ διαφορᾶς τῆς πρὸς ἕτερον· "Θηβαῖοι γάρ", φησὶν, "ἀπηνεῖς, ἡμεῖς δὲ φιλάνθρωποι καὶ δίκαιοι"· ἢ ἐκ διαφορᾶς τῆς περὶ πολιτείαν ἢ δύναμιν ἢ ἄλλο τι τῶν τοιούτων.

3. Γίνεται δὲ λύσις παραδείγματος καὶ ἐκ τοῦ παρεπομένου, οἷον εἰ λέγειν δυνάμεθα, ὅτι οὐδ' ἐκείνοις ταῦτα πράξασι συνήνεγκεν, ἀλλὰ τόδε αὐτοῖς συνέβη. **4.** γίνεται δὲ λύσις παραδείγματος καὶ κατὰ ἀντιπαράστασιν ἐνδόξου προσώπου ὅταν ἢ παράδειγμα ἀντιθῶμεν ἢ νόμον, ὡς ἐν ἐκείνῳ τῷ κατ' Ἀνδροτίμωνος "καὶ ἄλλαι," φησί, "βουλαὶ τοῦτον εἰλήφασι τὸν τρόπον δωρεάν." ἡ λύσις κατ' *285* ἀντίθεσιν ἐνδόξου· | "ἐγὼ δ' . . . εἰ τοῦτο τοιοῦτόν ἐστι τὰ μάλιστα, ὁ νόμος δὲ λέγει τὰ ἐναντία·" **5.** γίνεται δ' ἐκ περιτροπῆς λύσις παραδείγματος, οἷον· "οὐ γὰρ εἴ τι πώποτε μὴ κατὰ τοὺς νόμους ἐπράχθη, σὺ δὲ τοῦτο ἐμιμήσω, διὰ τοῦτο ἀποφεύγοις ἂν δικαίως, ἀλλὰ πολλῷ μᾶλλον ἁλίσκοιο."

8. ΠΕΡΙ ΕΝΘΥΜΗΜΑΤΩΝ

1. Εἶπον ὅτι εἰς δύο τέμνεται τὸ ἐπιχείρημα ἢ εἰς παράδειγμα ἢ εἰς ἐνθύμημα· λείπεται δὲ περὶ ἐνθυμημάτων εἰπεῖν. πᾶν ἐνθύμημα γίνεται ἢ ἀπὸ ἐλάττονος ἢ ἀπὸ παρακειμένου ἢ ἀπὸ ἐναντίου ἢ ἀπὸ μείζονος ἢ κατὰ ἐναντίωσιν κρίσεως ἐνδόξου ἢ συλλογιστικῶς ἢ ἐκ διλημμάτου, ὅταν δύο ἐναντία τιθεὶς ἐξ ἀμφοῖν ἕλῃς, ἢ ἀπὸ οὐσίας

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1 καιρόν, ⟨ὡς ἐνταῦθα⟩ *B* | συνδείπνῳ *B* || 2 ἱερονουμηνίᾳ *A* | ἐτυπτόμην *B* | τόπον, ⟨ὡς ἐνταῦθα⟩ *B* | γὰρ Fi. γε *AB* | οἰκίᾳ ⟨φησιν⟩ *B* | ἐτυπτήθη] ἐπλήγη *B* || 4 θηβαῖοι – 5 ἕτερον om. (ὁμ.) *B* || 5 ἀπηνεῖς ⟨ἡμῖν⟩ *B* | ὑμεῖς *B* || 9 δυναίμεθα Ha. (76) | πράττειν *B* || 10 τάδε *B* | παραδείγματος om. *B* || 11 προσώπου om. *B* | παράδειγμα ⟨ἕτερον⟩ *B* || 11.12 ἀντιτιθῶμεν Ba. || 12 ἐπ' ἐκείνου ⟨ἐν⟩ *B* | ἄλλαι ⟨γάρ⟩ *B* || 13 τοῦτον *A* et D. om. *B* | τὴν δωρεὰν *A* τὴν del. Ba. δωρεάς *B* | ἡ] εἶτα *B* || 14 εἰ *B* et D. εἰ καὶ *A* | τοιοῦτόν] οὕτως *B* | τὰ om. *A* || 15 δὲ] καὶ *B* δὲ καὶ Ba. || 17 ἀποφύγοις *A* | πολλῷ *B* et D. πολὺ *A* || 21 δὲ . . . εἰπεῖν] οὖν εἰπεῖν *B* || 22 ἀπὸ[1 2 3] ⟨τοῦ⟩ *B* || 24 δύο ⟨τὰ⟩ *B* | θεὶς *B* | ἀπὸ ⟨τῆς⟩ *B*

"He was struck," he says, "at a banquet, but I at a festival"; or on the place: "He was struck in his home, I in a sacred place"; or on the nature of the person, as in *Against Leptines*: "He says that the Thebans honor no one." He refuted (the applicability of this example) by the difference of one people and the other: "For Thebans," he says, "are uncouth, while we are humane and just."[209] Or the difference is one of form of government or power or something else of that sort.

3. Refutation of a paradeigm also occurs from what resulted, for example, if we can say that it was not advantageous for them to have done these things but such-and-such befell them. **4.** Refutation of a paradeigm also comes from comparison (*antiparastasis*) with an honorable person whenever we set (another) example or a law against it, as in the following passage in *Against Androtion*: "Other councils," he says, "got a gift in this way." The refutation is by opposing what is honorable: "But I (say), even if this is true in most cases, while the law says the opposite,. . . ." **5.** Refutation of a paradeigm comes also from reversal, as (in the same passage): "If this was ever done contrary to the laws, and you followed the precedent, you would not rightly escape, but all the more you should be convicted."[210]

Chapter 8: On Enthymemes

1. I said that the epicheireme is divided into either paradeigm or enthymeme,[211] and it remains to speak of enthymemes.[212] Every enthymeme is derived from either the lesser or the parallel or the contrary or the greater or by setting an honorable judgment in opposition (to what the opponent has said) or syllogistically or from a dilemma, whenever after positing two opposites you draw a conclusion from both, or from what is essential or

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[209] Demosthenes 20.109, with minor changes.
[210] Demosthenes 22.6–7.
[211] The statement does not occur in our text; see the discussion prefixed to chapter 6 above. By epicheireme Apsines means logical argument; cf. note on Anonymous Seguerianus §158.
[212] Apsines uses "enthymeme" in the Aristotelian sense (cf. *Rhetoric* 1.2.8–13 and 2.22) to mean a rhetorical syllogism, i.e., a deductive probable argument in which one premise may be assumed. The examples cited below take the form "if. . ., then . . .," but enthymemes are often recast so that a conclusion is supported by a premise introduced by "for," "because," or "since," or by a relative clause or participial phrase providing a reason. For a more technical account of the enthymeme see Anonymous Seguerianus §157–84. On the topics of enthymemes, see Martin, p. 117.

ἢ ἀπὸ τῶν ἀποβάσεων τῶν ἐνδεχομένων ἢ κατὰ πρόσληψιν ἢ ἐκ τοῦ ἐκλειφθέντος ἢ ἐξ ἀκολούθου συλλογιστικῶς ἢ ἐκ μάχης.

2. Ὁ μὲν οὖν ἀπὸ τοῦ ἐλάττονος τόπος φύσει μὲν αὐξητικός· τοιοῦτος δ' ἐστίν, οἷον ἐπὶ τοῦ τὸ ναυτικὸν διαφθείραντος καὶ κρινομένου· "φέρε, εἰ γὰρ μίαν ναῦν διαφθεῖραι παράνομον, πολύ γε δήπου δεινότερον ὅλον ναυτικὸν διαφθεῖραι". λαμβάνεται δ' ἀπὸ τοῦ ἐλάττονος ὁ τόπος ἢ ἀπὸ προσώπου, οἷον· "εἰ δὲ δὴ τῶν δούλων τινὰ
286 | ὕβρίσεν, οὐκ ἂν ἦν ἔνοχος τῷ νόμῳ; εἰ καὶ τὸ τοὺς δούλους ὑβρίζειν δεινόν, πῶς οὐ πολὺ μᾶλλον τοὺς ἐλευθέρους;" ἢ οὕτω· "φέρε, εἰ δ' ἐν ἄλλῃ πόλει τὰ τοιαῦτα ὕβρισεν, οὐκ ἂν ἔδωκεν δίκην; εἰ δὲ καὶ τὸ ἐν ἄλλῃ πόλει τοιαῦτα τολμᾶν αἰσχρόν, πολὺ δήπου δεινότερον ἐν τῇ ἐλευθέρᾳ ταύτῃ". **3.** εἰ δὲ περὶ ἀσεβείας· "εἰ ἀνθρώπους ἀδικεῖν δεινόν, πῶς οὐ τοὺς θεοὺς χαλεπώτερον;". **4.** ἢ ἀπὸ πράγματος· "φέρε, εἰ δὲ χρήμασιν ἐζημίωσαν, οὐκ ἂν ἦν δεινόν; εἰ τοίνυν καὶ τὸ εἰς χρήματα ζημιοῦν χαλεπόν ἐστι, πόσῳ μᾶλλον [δεινότερον] τό γ' εἰς αὐτὸ τὸ σῶμα;". **5.** ἢ ἀπὸ καιροῦ· "φέρε, εἰ δ' ἐν ἄλλῳ τινὶ καιρῷ ὕβρισεν, οὐκ ἂν ἦν δεινόν; εἰ δ' ἐν ἄλλῳ δεινόν, ἐν ἱερομηνίᾳ χαλεπώτερον". **6.** ἢ ἀπὸ τόπου· "φέρε, εἰ δ' ἐν ἄλλῳ τόπῳ ὕβρισεν, οὐκ ἂν ἦν χαλεπόν; εἰ δ' ἐν βεβήλῳ δεινόν, πολὺ δήπου μᾶλλον ἐν ἱερῷ". **7.** ἢ ἀπὸ τρόπου· "μεμισήκατε τὸν ἀνδροφόνον, εἰ δ' ἁπλῶς ἀνελεῖν δεινόν, πῶς οὐ μᾶλλον τὸ πυρί;".

8. Ἀπὸ παρακειμένου δὲ λαμβάνεται μάλιστα κατὰ τὸ ὁμογενές, οἷον ἓν γένος ἡ ἀρχή, εἶδος δ' αὐτῆς χορηγός, θεσμοθέτης, ἄρχων·
287 εἴη ἂν οὖν ταῦτα ὁμογενῆ. | ὁ δὴ ἀπὸ τούτων λαμβάνων ἀπὸ παρακειμένου λαμβάνει, οἷον ὡς παρὰ τῷ Δημοσθένει· "εἰ δὲ θεσμοθέτην

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2 ἐλλειφθέντος *B* ‖ 3 τόπος Ald., sine term. *AB* ‖ 4 διέφθειρεν *B* ‖ 5 παράνομον ⟨ἦν⟩ *B* | γε om. *B* ‖ 6 ὅλον] σύμπαν τὸ *B* | ⟨ὁ⟩ ἀπὸ *B* ‖ 7 ὁ τόπος] το^x *B* | ἀπὸ προσώπου Sp. τὸ (κατὰ *B*) πρόσωπον *AB* | οἷον] φέρε *B* ‖ 8 ὑβρίζει *A* | καὶ] δὲ *B* ‖ 9 πῶς οὐ om. *B* | πολὺ] πολλῷ *B* ‖ 10 πόλει] πολιτείᾳ *B* | τὰ τοιαῦτα om. *B* | ὕβριζε *A* ‖ 11 τὸ transp. ante τοιαῦτα Ba. ‖ 12 ἐλευθερωτάτῃ *B* | ταύτῃ om. *B* | δὲ ⟨καὶ⟩ *B* | ἀσεβείας ⟨λέγοις⟩ *B* | εἰ² ⟨δὲ καὶ⟩ *B* ‖ 13 ⟨ἐπιχειρεῖν⟩ ἀδικεῖν *B* | δεινόν] αἰνόν *A* | ⟨πολλῷ⟩ χαλεπώτερον τοὺς θεοὺς *B* ‖ 14 χρήματά ⟨με⟩ *B* εἰς χρήματα Fi. | ἐζημίωσεν A ‖ 15 ζημιούντων *B* ζημιούντων τῶν χαλεπῶν cod. *G* | ἐστι om. *B* | πόσῳ μᾶλλον] πῶς οὐ πολλῷ *B* | del. Sp. ‖ 16 τό γ' om. *B* ‖ 17 εἰ . . . δεινόν] ἀλλ' εἰ καὶ τοῦτο δεινόν, πόσῳ μᾶλλον *B* | ἱερονουμηνίᾳ *A* ‖ 18 χαλεπώτερον om. *B* ‖ 19 ⟨καὶ⟩ ἐν *B* | δεινόν om. *B* | μᾶλλον] δεινότερον *B* ‖ 20 ⟨πῶς⟩ μεμισήκατε *B* | τοὺς ἀνδροφόνους *B* | δ'] τοίνυν καὶ τὸ *B* ‖ 21 τὸ *A* τῷ Sp. πολλῷ χαλεπώτερον *B* ‖ 22.24 ὁμοιγεν. *AB*, corr. Ha. ‖ 23 εἰ^δ *B* ‖ 25 δημοσθένει ⟨φέρεται⟩ *B* ⟨φέρε⟩ Fi. | ⟨οἷον⟩ εἰ *A*

from the results of possibilities or by prolepsis or from what is left out or from what follows syllogistically or from inconsistency.

2. Now the topic from the lesser is naturally amplificatory; it is so, for example, in the case of the man who destroyed the fleet and is brought to trial: "Come now; for if it is illegal to destroy one ship, clearly it is much worse to destroy a whole fleet." And the topic is taken either from the lesser thing or person; for example, "But if he treated one of the slaves outrageously, would he not be subject to the law? And if it is a dreadful thing to treat slaves outrageously, how is it not much worse to do so to free men?" Or as follows: "Come now. If he committed such outrages in another city, would he not be punished? But if to dare such things in another city is shameful, surely it is much worse in this free city." **3.** And if the subject is impiety: "If it is a dreadful thing to wrong men, how is it not worse to harm the gods?" **4.** Or from a fact: "Come now. If they had punished with fines, would it not be dreadful? If then it is harsh to punish in regard to money, how much worse in regard to the body itself?" **5.** Or from an occasion: "Come now. If he acted outrageously on some other occasion, would it not be hard to bear? But if dreadful at another time, it is worse during the sacred month." **6.** Or from place: "Come now. If he acted outrageously in another place, would it not be hard to bear? But if it is dreadful on unhallowed ground, surely it is much worse in a sacred precinct." **7.** Or from the manner (of an action): "You have hatred of homicide, and if it is dreadful simply to kill, how is it not more so to kill by burning?"

8. (An enthymeme) is taken from a parallel especially in terms of what is generically similar; for example, "public office" is a genus of which choregus, thesmothete, and archon are species; these then would be generically similar. One who takes an enthymeme from these takes from a parallel, as in Demosthenes: "But if he treated a thesmothete outrageously, would he not have been punished?"[213] Then the supporting argument: For

[213] A paraphrase of Demosthenes 21.32.

ὕβρισεν, οὐκ ἂν ἔδωκε δίκην;" εἶτα ἡ κατασκευή· ὁ γὰρ θεσμοθέτης οὐδενὸς ἀνθρώπων ἐστὶν ὄνομα, ἀλλὰ τῆς πόλεως· εἰ δὲ τὸ θεσμοθέτας ὑβρίζειν δεινὸν καὶ δημόσιον ἀδίκημα διὰ τὸ τῆς ἀρχῆς δίκαιον, οὐδὲν ἧττον καὶ τὸ [τοὺς] χορηγούς. οἷον κατὰ τοῦ τὸν στρατηγὸν ἀνελόντος τί παράκειται; τὸ στρατιώτην. **9.** ἀπὸ δὴ τούτου λήψῃ τὸ ἐνθύμημα· τάχα γὰρ ἂν ἔλθοι εἰς τὸν ἀπὸ τοῦ ἐλάττονος τόπον ἢ ἀπὸ τοῦ μείζονος· ἠδίκησέ τις δημοσίᾳ τὴν πόλιν, εἶτα ἰδιώτην. λάμβανε δὴ ἀπὸ τούτου ἐνθύμημα ἀποδεικτικόν· "εἰ μὲν γὰρ περὶ τοὺς ἄλλους ἦν μέτριος, τάχ' ἄν τις διηπίστησε· περὶ δὲ τὴν πόλιν πονηρὸς γενόμενος ταχὺ ἂν ἐπέσχεν ὁ μηδὲ τοῦ μείζονος φεισάμενος;". ἢ οὕτως· "εἰ γὰρ καὶ ἃ κοινῇ πάντες προσεκρούσαμεν ἀλλήλοις ἀφεῖται ἀμνημόνευτα, ταχὺ ἂν ἑνὶ ἀνδρὶ μνησικακεῖν προσήκοι ὑπὲρ ὧν ἰδίᾳ φησὶ πεπονθέναι;". **10.** ἢ συλλογιστικῶς, ὡς παρὰ Δημοσθένει· "τὸ λαβεῖν οὖν τὰ διδόμενα ὁμολογῶν ἔννομον εἶναι, τὸ χάριν τούτων ἀποδοῦναι παρανόμων γράφῃ"· καὶ
288 πάλιν· "ὁ γὰρ οἷς ἂν ἐγὼ | ληφθείην, ταῦτα πράττων καὶ κατασκευαζόμενος, οὗτος ἐμοὶ πολεμεῖ, κἂν μήπω βάλλῃ μηδὲ τοξεύῃ". **11.** καὶ ἀπὸ τοῦ διλημμάτου, ὡς ἐν τῷ κατὰ Ἀριστογείτονος· "ἡδέως δ' ἂν ἐροίμην αὐτὸν πότερον ἔννομον καὶ δικαίαν ἐποιήσατο τοῦ ψηφίσματος τὴν γραφὴν ἢ τοὐναντίον ἄδικον καὶ παράνομον· εἰ μὲν γὰρ ἄδικον καὶ ἀσύμφορον, δικαίως ἂν διὰ ταῦτα ἀποθάνοι· εἰ δὲ δικαίαν καὶ τοῖς πολλοῖς ὠφέλιμον, πῶς νῦν τἀναντία τούτοις ἀξιοῖ ψηφίζεσθαι τούτους;" ὁρᾷς πῶς ἐξ ἀμφοῖν ἔλαβεν. **12.** ἢ ἀπὸ τοῦ ἐναντίου, οἷον, εἰ τοῦ Καλλιξένου κατηγοροίης ἐξομνυμένων τῶν στρατηγῶν· "ὥσπερ οὖν εἴ τις τοιοῦτον ἔγραψε ψήφισμα, δι' οὗ ἀφθονίαν στρατηγῶν παρείχετο, τιμῶν ἂν καὶ δωρεῶν ἐτύγχανεν, οὕτως,

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3 τὸ[1] Ba. τοὺς *A* καὶ τοὺς *B* | ὕβριζεν *B* || 4 οὐδενὸς B | τὸ Ba. ὁ *AB*, quod del. Sp. | del. Ba. || 5 τὸ Sp. ὁ *AB* | στρατιώτης A^aB, corr. A^c | δὴ] δὲ *B* || 7 ἢ] καὶ *B* | μείζονος ⟨οἷον⟩ *B* || 8 εἶτα ⟨καὶ⟩ *B* | λαμβάνω *AB*, corr. Sp. | ⟨τὸ⟩ ἐνθύμημα *B* || 9 παρὰ *A* | ἠπίστησέν τις ⟨τῇ κατηγορίᾳ] *B* || 10 ⟨εἰ δὲ καὶ⟩ περὶ *B* | δὲ om. *B* | γενόμενος om. *B* | ⟨γ⟩ἂν *B* | ἀπέσχετο ⟨τοῦ ἐλάττονος⟩ Ba. | μηδὲ] μήτε *B* || 10.11 τοῦ μείζονος] τῶν νομιζομένων *B* || 11 καὶ om. *B* || 12 ⟨γ⟩ἂν *B* || 13 προσήκει *B* | ὑπὲρ del. Ba. | ἰδίᾳ] νὴ δία *B* || 15 ἀποδοῦναι *B* et D. εἰδέναι *A* | παράνομον *B* | γράφει *A* || 17 καὶ] ἢ coni. Sp. || 20 ἄδικον – 21 ἀσύμφορον] ἀσύμφερον καὶ τῷ δήμῳ βλαβεράν D. || 21 ταῦτα] αὐτὸ τοῦτο D. | ἀποθάνοι *B* et D. ἀποθάνῃ *A* || 22 τούτοις *A* οἷς D. τούτων *B* || 24 ⟨τις⟩ κατηγοροίη ἐξομνυόντων *B* || 25 οὖν] γὰρ *B* | τι *AB*, corr. Ba. || 26 ἐτύγχανεν καὶ δωρεῶν *B*

"themosthete" is not the name of any one man but a name belonging to the city. And if it is dreadful to treat themosthetes outrageously and a public injustice because of the just nature of the office, it is no lesser thing also in the case of choregoi. For example, in the case of one killing a general, what is the parallel? Killing a soldier. **9.** It is from this that you will take the enthymeme; for it would quickly lead to the topic from the lesser or the greater; (for example,) someone publicly wronged the state, then (he would wrong) a private individual. Take from this your demonstrative enthymeme: "For if he were moderate in other things, probably one would thoroughly trust him; but since he has become wicked in regard to the city, would he, sparing not even something greater, be likely to restrain himself (from doing a private wrong)?" Or as follows: "For if he even dismisses without a thought what we all in common get angry with each other about, would he be likely to remember the injuries of one man from which he says he privately suffered?" **10.** Or syllogistically, as in Demosthenes: "Therefore, although agreeing that it was lawful to take what was given, you indict returning gratitude for these gifts as illegal."[214] And again, "For the man who does these things and makes these preparations by which I may be captured is making war on me, even if he has not yet thrown a missile or shot an arrow."[215] **11.** And from a dilemma, as in *Against Aristogeiton*: "I should like to ask him whether his indictment of the decree was legal and just or the opposite, unjust and illegal; for if it was unjust and against the interests (of the people), he would rightly be put to death for this; but if it was just and advantageous to the many, why now would he think it right for the jury to give a verdict opposed to them?"[216] You see how he took the argument from both statements. **12.** Or from the opposite, for example, if you were accusing Callixenus when the generals were taking their oaths: "Now just as he would have received honors and gifts if he had introduced some such motion by which he provided for the liberality of the generals, similarly, now that we have come to an insufficient number of men because

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[214] Demosthenes 18.119. On this sense of "syllogistically," cf. note on 5.17 above.
[215] Demosthenes 9.17.
[216] Demosthenes 26.14 with minor changes.

ἡνίκα εἰς ἀπορίαν ἀνδρῶν ἥκομεν δι' αὐτόν, τῆς ἐσχάτης ὀργῆς ἄξιος". **13.** ἢ ἐκ τοῦ ἀκολούθου συλλογιστικῶς, ὡς παρὰ Δημοσθένει· "ὥσπερ γὰρ εἴ τις ἐκείνων προεάλω, σὺ τάδε οὐκ ἂν ἔγραψας, οὕτως, ἂν σὺ νῦν δίκην δῷς, ἄλλος οὐ γράψει." **14.** ἢ ἐξ ἀποβάσεως καθ' ὑπόθεσιν τοῦ ἐνδεχομένου, ὡς ἐν τῷ πρὸς Βοιωτόν· "φέρε, εἰ δὲ καὶ κριτὴς καλοῖτο Μαντίθεος Μαντίου Θορίκιος·" ἐνδεχόμενον γὰρ ἦν τοιοῦτόν τι συμβῆναι. **15.** ἢ ἐκ τοῦ ἐκλειφθέντος· "εἰ μὲν γὰρ ἐθάρρει τοῖς δικαίοις, ἀντειπεῖν ἐχρῆν· ὅτι δ' οὐκ ἀντεῖπεν, αὐτὸς ἑαυτοῦ
289 τὸ μὴ θαρρεῖν καταμαρτυρεῖ". **16.** ἢ κατὰ πρόσ | ληψιν, οἷον εἰ περὶ εὐεργετῶν λέγοις, οἷον· "εἰ δὲ πρὶν πρᾶξαι καθυπέσχετο πράξειν, εἰ δοίητε τὰς δωρεάς, οὐκ ἂν ὑπέσχεσθε δώσειν; ἃ τοίνυν πρὶν παθεῖν ἐδώκατε ἂν ἢ ὑπέσχεσθε δώσειν, ταῦτα παθόντες οὐ δώσετε;"· **17.** ἢ ἐκ τῆς οὐσίας, οἷον ἐπὶ ταῖς γαμηθείσαις· "εἰ γάρ ἐστιν ἴδιον τῶν γάμων ἡ συνοίκησις ἢ τὰ συμβόλαια, ὅτε ταῦτα πέπρακται, οὐκ εἶναι γάμον καὶ τοῦτο φήσομεν;" **18.** ἢ ἀπὸ τοῦ παρελθόντος χρόνου τὸ μὴ γενόμενον, οἷον ἂν ἦν εἰ ἐγένετο, ὡς ἐν τῷ πρὸς Λεπτίνην· "ὑμεῖς τιμῶντές ποτε Ἰφικράτην καὶ ἄλλους τινὰς εὖ πεποιήκατε"· εἶτα ἐπάγει ἐνθυμηματικῶς· "εἰ τοίνυν ὥσπερ δι' Ἰφικράτην καὶ Πολύστρατον καὶ ἄλλους τινὰς εὖ πεποιήκατε, δι' αὐτὸν οὑτωσὶ καὶ Χαβρίας ἠξίωσεν ὑμᾶς τούτων τινὰς εὖ ποιῆσαι, οὓς νῦν αἰτιώμενοι πάντας ἀφαιρεῖσθαι κελεύουσιν, οὐκ ἂν ἐδώκατε; ἐγὼ μὲν οἶμαι." εἶτα πάλιν ἡ ἐπαγωγὴ ἐνθυμηματικῶς.

19. Ἴδιον δ' ἐνθυμήματος δριμύτητος δόξαν ἀποτελεῖν, καὶ ἔστιν ἀγωνιστικόν τε ἅμα καὶ ἐλεγκτικόν. ἤδη δέ ποτε καὶ παράδειγμα ἐνθυμηματικῶς εἰσάγεται, οἷόν ἐστιν· "εἰ γὰρ ὅθ' ἥκομεν Εὐβοεῦσιν·"

1 αὐτόν] τοῦτον *B* || 3 ἑάλω *B* et D. 23.99 | ἐὰν *A* et D. 23.99 || 4 δῷς] ἁλῷς D. 23.99 || 5 φέρε om. *A* || 5.6 δὲ καὶ κριτὴς] δ' ἐκ τρίτης *A* δὲ κριτὴς D. || 6 Μαντίου Ba. ex D. μαντιθέου *A* οὐ μαντιθέου *B* || 7 τοιοῦτόν τι] καὶ τοιοῦτον *B* || 9 τὸ] τοῦ W. || 10 εὐεργετῶν . . . οἷον] εὐεργέτου λόγος, φέρε *B* || 11 δοίητε] λάβοι γε *B* | ⟨καὶ⟩ πρὶν ⟨ἢ⟩ *B* || 12 δεδώκατε *B* | ἂν om. *A* | δώσειν ὑπέσχεσθε *B* || 13 εἰ] τί *B* || 14 ἢ om. *B* | ταῦτα ⟨οὐ⟩ *B* || 15 τοῦτο⟨ν⟩ Ba. || 17 τιμῶντές ποτε ⟨τιμῶντες⟩ *A* || 18 ἐνθυμήματι *B* | δι'] δὴ *A* | ἰφικράτη *B* || 19 δι' αὐτὸν om. *A* | αὐτὸν *B*, corr. Ba., qui transposuerit δι' αὐτὸν ante Χαβρίας | οὑτωσὶ Rademacher οὕτως εἰ *AB* || 20 τινὰς τούτων *A* || 21 ἀφερ- *B* || 23 ἀποτελεῖν] δοκιμάζειν *A* || 24 ποτε om. *B* || 25 ⟨ἐβοηθήσαμεν⟩ εὐβοεῦσιν *A*

of him, he deserves the highest degree of anger."[217] **13.** Or from the result, syllogistically, as in Demosthenes: "For just as you would not have introduced this resolution if any of them had been convicted, so now no one else will introduce (such a resolution) if you are now punished."[218] **14.** Or from result by positing the possible, as in *Against Boeotos*: "Tell me, what if Mantitheos, son of Manias, of Thoricos were to be called a judge?"[219] For something of the sort could have happened. **15.** Or from what is left out: "For if he had confidence in the just(ice of his cause), he should have spoken in opposition; that he did not speak in opposition is evidence against his confidence in himself." **16.** Or by prolepsis, for example, if you were speaking about benefactors as follows: "But if he promised to do it before doing it, provided that you gave the gifts, would you not have promised that you would give them? What then you would have given, or promised you would give before experiencing the benefits, will you not give now that you have experienced them?" **17.** Or from what is essential, as in the case of women who have married: "For if cohabitation or sexual intercourse is the distinguishing feature of marriage, when these have been performed shall we not say that this too is a marriage?" **18.** Or from past time, what something that did not happen would have been if it had happened, as in *Against Leptines*: "You once received benefits from honoring Iphicrates and some others"; then he continues enthymematically, "If then, just as you have benefited because of Iphicrates and Polystratus and some others, in the same way, because of him and Chabrias he thought you should benefit some of these men, would you not have given honors to those whom now they complain of and order you to deprive all of honors? I think so."[220] Then follows the induction (*epagōgē*) in form of an enthymeme.

19. It is a characteristic of an enthymeme to give an impression of sharpness,[221] and it is agonistic and refutative. Sometimes also an example is introduced enthymematically, as in "For if when we returned from our expedition in aid of the Euboeans. . . ."[222] Or from inconsistency: "(It is

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[217] Cf. the anonymous commentary on stasis in Walz IV p. 621,23. Callixenus prosecuted the Athenian generals who failed to rescue survivors and take up the dead after the battle of Arginusae, 406 B.C.; cf. below, 9.11 and 10.47; Xenophon, *Hellenica* 1.7.8–35; S. A. Stephens, "The Arginusae Theme in Greek Rhetorical Theory and Practice," *Bulletin of the American Society of Papyrologists* 20 (1983) 171–80.

[218] Demosthenes 22.7 and 23.99.

[219] Demosthenes 39.10, probably not a genuine speech.

[220] A paraphrase of Demosthenes 20.85.

[221] Cf. Hermogenes, *On Invention* p. 150,17 ed. Rabe.

[222] Demosthenes 1.8. Cf. above, 6.14.

ἢ ἐκ μάχης· "καὶ τὸν μὲν γράψαντα τοὺς νόμους Σόλωνα χαλκοῦν ἐν
290 ἀγορᾷ στήσετε αὐτῶν δὲ τῶν νόμων | ὑπερορῶντες φαίνεσθε, δι' οὓς
κἀκεῖνον ὑπερβαλλόντως συμβέβηκε τιμᾶσθαι." καὶ πάλιν· "πῶς δ' οὐκ ἂν εἴη τὸ συμβαῖνον ἄτοπον, εἰ νομοθετοῦντες μὲν ὀργίζεσθε τοῖς πονηροῖς, ἐπ' αὐτοφώρῳ δέ τινας λαβόντες ἀφήσετε;"· μαχόμενον γὰρ τὸ τιμᾶν τὸν νομοθέτην τῷ ἀτιμάζειν τοὺς νόμους, καὶ τὸ μισεῖν τοὺς πονηροὺς τῷ πάλιν ἀθῴους ἐᾶν. **20.** μάχη δ' ἐστὶν ὅταν τις τὰ ἐναντία ἑαυτῷ ποιήσῃ. ⟨ἢ⟩ κατὰ ἐναντίωσιν κρίσεως ἐνδόξου· "καὶ τὸν μὲν νομοθέτην ἕνα ὄντα πᾶσιν ὑπὲρ ὑμῶν ἀπεχθάνεσθαι, ὑμᾶς δὲ συλλεγέντας μηδ' ὑπὲρ ὑμῶν αὐτῶν ἐνδείξασθαι τοὺς πονηροὺς μισοῦντας." **22.** ἢ ἐκ κρίσεως ἐνδόξου· "διὸ καὶ τὰς τιμωρίας ὁ Σόλων τοῖς μὲν ἰδιώταις βραδείας ἐποίησε, τοῖς δ' ἄρχουσι καὶ τοῖς δημαγωγοῖς ταχείας." βουλόμενος γὰρ ἀποδεῖξαι ὅτι δεῖ τοὺς ἐν ταῖς ἀρχαῖς ταχέως τιμωρεῖσθαι, ἐπετίμησεν ἀπὸ κρίσεως ἐνδόξου. **23.** ἢ ἀπὸ διαφορᾶς· "τοὺς μὲν οὖν ἄλλους ὁρῶ τὴν ἀειλογίαν προτεινομένους, τουτονὶ δ' Αἰσχίνην πολὺ τοὐναντίον τούτων." τοῦτο προοίμιον μέν ἐστιν, ἔλθοι δ' ἂν καὶ εἰς ἐπιχείρημα ὁ τόπος. **24.** ἢ παραβολικῶς, εἶδος δ' ἐπιχειρήματος καὶ ἡ παραβολή· "ὥσπερ γὰρ τῶν ἐν ταῖς ναυσὶν ἁμαρτημάτων, ἃ συμβαίνει περὶ τοὺς πλοῦς ὅταν μὲν τῶν ναυτῶν τις ἁμάρτῃ, βραχεῖαν τὴν βλάβην ἐποίησεν, ἐπειδὰν δὲ ὁ κυ-
291 βερνήτης σφαλῇ, | κοινὴν τὴν ἀτυχίαν καὶ μεγάλην τοῖς συμπλέουσιν ἤνεγκεν."

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1 Σόλωνα ⟨ἐψηφίσθαι⟩ D. (cod. F ψηφίσασθαι cod. A ἐψηφίσασθε cod. S) || 2 στήσετε *A* στῆναι *B* et D. | ὑπερορῶντες] οὕτως ὀλιγοροῦντας *B* et D. | φαίνεσθαι *B* et D. || 4 συμβὰν ἄλογον *A* || 5 λαβόντες] εἰληφότες *B* et D. | ἀφήσετε] ἐάσετε D. | μαχόμενα *B* || 6 τὸ . . . 7 τῷ] τῷ . . . τὸ *B* || 8 ποιῇ Ba. | add. Fi. || 10 συλλέγοντας *AB*, corr. Ba. | ἐπιδείξασθαι D. || 10.11 μισοῦντας τοὺς πονηροὺς *B* et D. || 12 ἐποίησε βραδείας D. | ἐποιη *B* | ταῖς δ' ἀρχαῖς D. | τοῖς om. *A* || 14 ἐπετίμησεν] ἐπεχείρησεν *B* || 15 ἀπὸ] ἐκ *B* | ὁρῶ post ἀειλογίαν D. || 16 πολὺ – τούτων om. *A* || 17 ἐπιχείρη *B* | ἢ παραβολικῶς del. Ha. (76) || 18 ἐπιχειρήματος lege παραδείγματος Ha. (76) | παραβολὴ ⟨ὡς ἐπ' ἐκείνου⟩ Ha. (76) | γὰρ om. *A* || 20 τις ἁμάρτῃ] ἁμάρτησις *A* ἁμάρτῃ τις Sp. | ἐποίησεν ἐπειδὰν] ἤνεγκεν ὅταν D. || 21 ἀποσφαλῇ D. | καὶ μεγάλην om. D. || 21.22 πλέουσιν εἰσήγαγεν *B* ἐμπλέουσι παρεσκεύασεν D.

outrageous) that you will let stand in the agora a bronze statue of Solon who framed the laws, while you seem to overlook those very laws for which he has attained unparalleled honor."[223] And again, "How would it not be a strange situation if you express anger at criminals in legislation, but let them go when you take them in the act?" For honoring the lawgiver is inconsistent with dishonoring the laws, and hating criminals with letting them go unpunished. **20.** There is an inconsistency whenever someone does things that contradict himself. **21.** Or when something is contradicted by an honorable judgment (made by the speaker): "(It is outrageous if) the lawgiver, a single individual, on your behalf incurs the hostility of all (criminals), while you, when you meet together, do not even show that you hate criminals on your own behalf." **22.** Or by an honorable judgment (made by someone other than the speaker): "Therefore too Solon made penalties for private citizens slow, those for magistrates and political leaders swift."[224] For wishing to show that those in office should be swiftly punished, (the speaker) paid honor to (Solon's) good judgment. **23.** Or from making a distinction: "Now I see that others (who enter public life) regard themselves as under a perpetual responsibility, but this man Aeschines does quite the opposite of them."[225] This occurs in a prooemion but the topic would also apply to an epicheireme. **24.** Or by comparison (*parabolikōs*), since comparison is also a species of epicheireme: "For as in the case of errors which happen on shipboard during voyages, when one of the sailors makes a mistake the damage is limited, but when the pilot slips up, he brings on a common and great disaster for those on board."[226]

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[223] This and the following two quotations derive from Demosthenes 26.23–24, with minor changes. Cf. below, 9.4.
[224] Demosthenes 26.4.
[225] Demosthenes 19.2.
[226] Demosthenes 26.3, with minor changes.

9. ΠΕΡΙ ΤΗΣ ΤΩΝ ΚΕΦΑΛΑΙΩΝ ΚΑΤΑΣΚΕΥΗΣ

1. Περὶ μὲν τῶν στάσεων καὶ τῶν ἑκάστῃ ἐμπιπτόντων κεφαλαίων ἱκανῶς τοῖς πρὸ ἡμῶν λέλεκται, νυνὶ δ' ἴδωμεν αὐτὰ [τὰ κεφάλαια] τὰ κυριώτατα τῶν κεφαλαίων, ἐκ ποίων τόπων σύγκειται καὶ κατὰ ποίας κατασκευὰς συνίσταται. καὶ πρῶτόν γε περὶ τῶν τελικῶν εἴπωμεν. ἔστι δὲ ταῦτα, νόμιμον, δίκαιον, συμφέρον, ἔνδοξον, δυνατόν, εἰ βούλει σαφὲς πρὸς τούτοις. καὶ πρῶτόν γε περὶ τοῦ νομίμου.

ΠΕΡΙ ΝΟΜΙΜΟΥ

2. Τὸ νόμιμον κεφάλαιόν ἐστι τῶν ἄγαν ἰσχυρῶν. λαμβάνει δὲ τὰς συστάσεις ἀπὸ χρόνου, ἀπὸ ποιότητος τοῦ γράψαντος, ἀπὸ διανοίας τοῦ γράψαντος, ἀπὸ κοινῆς κρίσεως, ἀπὸ αὐτοῦ τοῦ πράγματος, ὃ διαγορεύει ὡς ὀρθῶς ἔχει. **3.** ἀπὸ μὲν τοῦ χρόνου, ὡς εἰ λέγοις· “οὐ καὶ χθὲς καὶ πρώην ὁ νόμος γέγραπται, ἀλλ' ἀμύθητος μὲν ἐξ οὗ χρόνος γέγραπται, ἐν δὲ τούτῳ τοσούτῳ ὄντι ἀκίνητος μένει”· ὡς καὶ παρὰ Δημοσθένει· “οὗτος καὶ παλαιός ἐσθ' ὁ νόμος καὶ καλῶς ἔχων”. **4.** ἀπὸ δὲ ποιότητος· “τίς ὁ γράψας; οὐ τῶν ἀπερριμμένων, ἀλλὰ
292 τῶν παρ' ὑμῖν εὐδοκιμούντων”· ὡς καὶ παρὰ Δημο | σθένει· “καὶ τὸν μὲν γράψαντα τοὺς νόμους Σόλωνα χαλκοῦν ἐν ἀγορᾷ στήσετε”. **5.** ἀπὸ διανοίας τοῦ γράψαντος, ὡς ἐν τῷ κατὰ Ἀνδροτίωνος· συνιστὰς γὰρ τὸν νόμον ὡς καλῶς ἔχοντα τὸν κελεύοντα ἀστεφάνωτον εἶναι δεῖν τὴν βουλήν, εἰ μὴ ποιήσαιτο τὰς τριήρεις, τὴν αἰτίαν ἐξήτασε δι' ἣν γέγραπται ὁ νόμος· “ἄξιον τοίνυν ἰδεῖν τί δή ποτε, ἐὰν τἄλλα ἡ βουλὴ δοκῇ καλῶς βουλεῦσαι καὶ μηδεὶς ἔχῃ μηδὲν

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2 ⟨ἐν⟩ ἑκάστῃ *B* || 3 νῦν *B* | del. Sp. || 4.5 σύγκειται . . . κατασκευὰς] τὰς συστάσεις λαμβάνει καὶ τὰς κατασκευὰς καὶ πῶς *B* || 7 εἰ ⟨δὲ⟩ *B* | ⟨τοῦτο⟩ πρῶτον (γε om.) *B* || 8 tit. del. Ba. περὶ ⟨τοῦ⟩ Ha. νομίμου ⟨λέγω⟩ *B* || 10 χρόνων *B* || 12 ὡς[2]] ὁμοίως *B* || 13 οὐ καὶ χθὲς] οὐκ ἐχθὲς *B* καὶ del. Ba. || 14 ⟨ὁ⟩ χρόνος *B* ὁ χρόνος ἐξ οὗ Fi. | ἀκίνητος] ἀκίνδυνος *B* | ὡς . . . 17 εὐδοκιμούντων (ὁμ.) om. *B* || 16 ποιότητος Ba. cf. supra 10 προσώπου *A* || 18 μὲν γράψαντα] ἐγγράψαντα *B* | χαλκοῦν om. *A* | στῆσαι *B* et D. || 19 ⟨δὲ⟩ τοῦ *B* || 22 ἐξέτασε *B* || 23 ἂν *B* et D. | τἀλλα Sp. τἄλλα ⟨πάντα⟩ *B* et D. | δοκῇ – βουλεῦσαι] καλῶς βουλεύσῃ D.

Chapter 9: On the Argument in Support of the Headings.

1. The questions at issue in a speech and the headings that fall under each have been sufficiently discussed by our predecessors,[227] but now let us look at the most important of the headings, considering from what topics they are composed and by what kind of arguments they are confirmed, and first let us speak about final headings.[228] These are the legal, the just, the advantageous, the honorable, the possible,[229] if you want clarity on them. And first about the legal.

On the Legal

2. The legal is one of the very strongest headings. It takes its construction from time, from the quality of the lawgiver, from the intent of the lawgiver, from common judgment, from the very thing which (the law) declares to be right. **3.** From the time, as if you should say, "The law was not written yesterday or the day before[230] but untold time has elapsed since it was written, and during all that time it has remained unchanged." As too in Demosthenes: "This law is both old and sound."[231] **4.** From quality: "Who was the lawgiver? Not one of the outcasts but one of those honored among you." As also in Demosthenes: "You even set up in the agora a bronze statue of Solon who wrote the laws."[232] **5.** From intent of the lawgiver, as in *Against Androtion*; for after insisting that the law was sound in ordering that the council must remain uncrowned if it did not build triremes, he examined the reason for which the law was written: "It is worthwhile seeing why the council is not allowed to take a reward, if it seems to have performed well in other respects and no one has any complaint to make

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[227] In the century before Apsines, writers on stasis theory included Minucianus, Hermogenes, Zeno, and others; cf. Kennedy, pp. 226–27.
[228] Or "headings of purpose"; cf. Martin, pp. 169–74.
[229] Cf. Hermogenes, *On Stases* p. 52,10 ed. Rabe.
[230] Cf. Sophocles, *Antigone* 456–57.
[231] Demosthenes 20.153.
[232] Demosthenes 26.23; cf. above 8.19.

ἐγκαλέσαι, τὰς δὲ τριήρεις μὴ ποιήσηται, οὐκ ἔξεστι λαβεῖν τὴν δωρεάν. εὑρήσετε γὰρ τοῦτο ἰσχυρὸν ὑπὲρ τοῦ δήμου κείμενον". καὶ πάλιν περὶ τοῦ τῆς ἑταιρήσεως νόμου λέγων· "ἄξιον τοίνυν καὶ τὸν θέντα τὸν νόμον ἐξετάσαι Σόλωνα, ὅσην πρόνοιαν ἐποιήσατο τῆς πολιτείας ἐν ἅπασιν οἷς ἐτίθει νόμοις". καὶ πάλιν προϊὼν που λέγει· "ᾔδει γάρ, ᾔδει τοῖς αἰσχρῶς βεβιωκόσιν." **6.** ἢ ἐξ αὐτοῦ τοῦ πράγματος, ὃ διαγορεύει ὁ νόμος, ὅτι περὶ μεγάλων ἢ τῶν πρὸς θεοὺς ἢ τῶν πρὸς ἀνθρώπους, καὶ ὅτι ἄνευ τούτων οἰκεῖν οὐκ ἔνι, ὡς παρὰ Δημοσθένει· "ὀρθῶς καὶ καλῶς ἔχων ὁ νόμος, ὡς τὸ πρᾶγμα αὐτὸ μαρτυρεῖ· ὅπου γὰρ ἐπόντος τοῦ φόβου τούτου φαίνονταί τινες οὐδὲν ἧττον ὑβρισταί." **7.** ἢ ἐκ κοινῆς κρίσεως, ὡς ἐν τῷ κατὰ Μειδίου· "τὸν τοίνυν οὐ παρὰ τοῖς Ἕλλησι μόνον εὐδοκιμοῦντα νόμον, ἀλλὰ καὶ παρὰ τοῖς βαρβάροις."

293 | **8.** Διαβάλλεται δὲ νόμος ἀπὸ τῶν ἐναντίων, ὅτι οὐ κοινός, ὅτι οὐκ ἀξιόπιστος ὁ γράψας, ὅτι τὸ πρᾶγμα ὃ διαγορεύει οὐκ ἀνεκτόν, ὅτι ταῖς δόξαις πάντων μάχεται, ὅτι ἡ διάνοια τοῦ γράψαντος μοχθηρά, ὡς ἐν τῷ κατὰ Ἀριστοκράτους. **9.** εἰ δὲ τὸν νόμον μὴ διαβάλοις, φαίης δ' οὐ δυνατὸν εἶναι αὐτῷ ἐν τῷ παρόντι χρήσασθαι ἢ ἐκ διανοίας αὐτὸν ἐξετάσεις, ὅτι οὐκ ἐπὶ τούτοις γέγραπται, ἢ κατ' ἀντιπαράστασιν κεφαλαίου. **10.** εἰ δὲ καὶ ξενικῷ νόμῳ χρῷο, προσυστήσας τὸ πρόσωπον εἰσάξεις, ὡς Δημοσθένης ἐν τῷ Λοκρικῷ νόμῳ.

ΠΕΡΙ ΕΘΟΥΣ

11. τὸ ἔθος καὶ ἀντὶ νομίμου παραλαμβάνεται· ἔχει δὲ ὕλην καὶ τὰς κατασκευὰς ἐκ τῶν γεγονότων καὶ παραδεδομένων· λαμβάνεται

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1 οὐκ – 2 δωρεάν] τὴν δωρειὰν οὐκ ἔξεστιν αἰτῆσαι D. ‖ 2 εὑρήσετε *A* et D. εὑρήσεται *B* | ⟨τὸ⟩ ἰσχυρὸν D. | δήμου *B* et D. νόμου *A* ‖ 3 λέγων om. *B* ‖ 4 ἐποιεῖτο D. ‖ 4.5 τῆς . . . νόμοις] ἐν ἅπασιν οἷς ἐτίθει νόμοις τῆς πολιτείας D. ‖ 6 ᾔδει γάρ] καὶ γάρ *B* | ἢ om. *A* ‖ 7 τὸν νόμον *B* | μεγάλων ⟨οἷον⟩ *B* ‖ 9 ὀρθῶς . . . καλῶς] καλῶς ὦ ἄνδρες Ἀθηναῖοι καὶ συμφέρως D. ‖ 10 γὰρ – τούτου om. *B* | φόβου Ba. ex D. φόνου *A* | φαίνονταί τινες om. *A* ‖ 14 οὐ κοινός] καινός Fi. coll. supra 184.12 ἀπὸ – 13 γέγραπται ‖ 14.15 οὐκ ἀξιόπιστος post γράψας *B* ‖ 15 ὅτι²] ἢ *B* | ὃ om. *B* | διαγορεύσας *B* | ⟨ἢ⟩ ὅτι *B* ‖ 16 πάντων δόξαις *B* | ὅτι ἡ] ἢ ὅτι *B* ἢ ὅτι ἡ Ba. | μοχθηρὰ τοῦ γράψαντος *B* ‖ 17 μὴ διαβάλοις *A* μὲν οὐ διαβάλλοις *B* μὴ διαβάλλοις Sp. ‖ 18 χρῆσθαι *B* ‖ 19 αὐτὸν] ταὐτὸν *B* ‖ 19.20 συμπαράστασιν *B* ‖ 20 κεφαλαίων *B* | χρῶτο *A* ‖ 21 ⟨ὡς⟩ ἐν *A* ‖ 22 tit. om. *B* ‖ 23 τὸ ⟨δὲ⟩ *B* | ⟨τοῦ⟩ νομίμου Sp. ‖ 24 τὰς om. *B*

but it did not build triremes. You will find this stringent enactment is in the interests of the people."[233] And again, speaking about the law on prostitution: "Now it is worthwhile to examine too (the character of) Solon who framed the law (and to observe) what care he took for the consitution in all the laws he established."[234] And again, continuing, he says somewhere, "For he knew, he knew (the constitution was most antagonistic to) those who have lived shamefully."[235] **6.** Or from the very thing which the law declares, because it concerns great things, either those relating to gods or to men, and because it is not possible to live without these things, as in Demosthenes: "A correct and good law, as the fact itself demonstrates; for where some seem none the less insolent when this fear is hanging over them. . . ."[236] **7.** Or from a common judgment, as in *Against Meidias*: "This law then, esteemed not only among the Greeks but even among the barbarians. . . ."[237]

8. A law is attacked by the opposite (arguments), that it is not found elsewhere, that the lawgiver is not credible, that the thing which it requires is not bearable, that it is inconsistent with everybody's opinions, that the intent of the lawgiver was wicked, as in *Against Aristocrates*.[238] **9.** But if you do not attack the law, you should say that it is not possible to apply it in the present circumstances, or you will examine it on the basis of intent, (saying) that it has not been written for these purposes, or by antiparastasis of the heading.[239] **10.** And if you use a foreign law, you will bring it in after establishing the character (of the foreign state), as Demosthenes does in the case of the Locrian law.[240]

Apsines' account of argument from legality indicates that he thinks of it as used primarily in judicial speeches, though in the Attic orators it also sometimes appears in deliberative speeches. The examples cited of ethos, justice, advantage, and what is possible are taken from deliberative speeches, but ethos and justice, at least, are frequently topics in judicial oratory. Aristotle (Rhetoric 1.3) had identified argument about justice with judicial oratory, about advantage with deliberative oratory, and about the honorable with epideictic, and regarded argument about the possible as common to all three species of rhetoric.

On Custom

11. Custom[241] too can be brought in place of the legal; its material and supporting arguments come from what has happened and what has been

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233 Demosthenes 22.11–12, with minor changes.
234 Demosthenes 22.30, with minor changes.
235 Demosthenes 22.31.
236 Demosthenes 21.9, with minor change.
237 Demosthenes 21.50.
238 Demosthenes 23, against the law making the person of Chersobleptes of Thrace inviolable.
239 I.e., counter-objection; cf. above 5.6.
240 Demosthenes 24.139.
241 I.e., *ethos*, not to be confused with *ēthos*.

δὲ διχῶς, ἢ ἐξ ἰδιότητος τοῦ ὑποκειμένου προσώπου ἢ ἐκ κοινότητος, ὡς ἐπ' ἐκείνου· βουλεύονται Ἀθηναῖοι, εἰ δεῖ θάψαι τοὺς δέκα στρατηγούς· ἀπὸ κοινότητος μέν, ὅτι κοινῇ πᾶσιν ἀνθρώποις καθέστηκε θάπτειν τοὺς οἰχομένους συνήθεια· ἐξ ἰδιότητος δὲ τοῦ ὑποκειμένου προσώπου, ὅτι ⟨εἰ⟩ Ἀθηναίοις καὶ τοὺς ἀλλοτρίους νεκροὺς θάπτειν ἔθος, οἷα τὰ περὶ Ἀργείους ἔπραξαν, πολύ γε δήπου πρότερον τοὺς οἰκείους προσήκει. **12.** οὐκοῦν καὶ ἀπὸ τῶν ἐναντίων αἱ ἀνατ-
294 ροπαί, ἢ ὅτι ἄλλοις ἢ ὅτι ἡμῖν οὐκ | ἔθος, τὰ δόγματα καὶ ἀντὶ νόμων ἰσχύει. καὶ σχεδὸν ἀπὸ τῶν αὐτῶν ἐννοιῶν κατασκευάζεται, ὅτι ὀρθῶς ἔχει· ἀπὸ τῶν βουλευσαμένων, εἰ ἔνδοξον εἴη πρόσωπον τὸ ὑποκείμενον καὶ οὐχ οἷον πρὸς ἀπάτην τι δοκεῖν βουλεύσασθαι ἢ εἰ καὶ αὐτὸ τὸ δόγμα συντρέχον καὶ τοῖς νόμοις τοῖς προγονικοῖς φαίνοιτο· ἀπὸ τοῦ ἐλλείποντος, εἰ οὐδ' ἀντεῖπέ τις τῶν νῦν ἀντιλεγόντων· **13.** ἀπὸ ἐνδόξου κρίσεως, ὅτι καὶ οἱ νόμοι φυλάττειν κύριά (φησι) κελεύουσι τὰ τοῦ δήμου δόγματα. **14.** ἐκ διαφορᾶς· ταύτῃ διενήνοχεν ἡ δημοκρατία τυραννίδος, ὅτι ἡ μὲν ἄκυρον ποιεῖ τὸν δῆμον, ἡ δὲ κύριον. **15.** ἐκ τοῦ ἐλάττονος· εἰ καὶ τὰς ἰδίας ὁμολογίας φυλάττειν ἔννομον, πολὺ δήπου τὰς τοῦ δήμου ⟨πρότερον⟩.

ΠΕΡΙ ΔΙΚΑΙΟΥ

16. Τὸ δίκαιον διχόθεν συνίσταται ἀπὸ προσώπου καὶ ἀπὸ πράγματος. ἀπὸ μὲν προσώπου· δίκαιον βοηθεῖν, ἀστυγείτονες γάρ, εἰ οὕτω τύχοι, ἢ ὁμογενεῖς ἢ φίλοι ἢ εὐεργέται· καὶ πάλιν ἀπὸ τῶν ἐναντίων· εἰ τιμωρεῖσθαι κελεύοις, ὅτι ἐχθροί, ὅτι ὑπῆρξαν, ὅτι ἀλλόφυλοι. ἀπὸ
295 δὲ πράγματος, ὅτι ἴσον, ὅτι πρὸς τὴν | ἀξίαν, ὅτι καὶ πᾶσι τοῖς τὰ δίκαια φρονήσασιν οὕτως ἔδοξεν.

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5 add. Fi. || 6 πολύ γε] πολλῷ *B* | πρότερον] πρὸς *B* || 8 ἢ – ἄλλοις del. W. | ἔθος fen. (4 litt.) *A* ἔθος ⟨ἢ ὅτι⟩ Sp. ⟨τὸ δὲ⟩ Fi. | νομίμων *A* || 9 ἰσχύειν *B* | ἐννοιῶν W. ἐνίων *AB* || 10 εἰ – 11 ὑποκείμενον] τοῦτο τὸ ὑποκείμενον καὶ ὅτι ἔνδοξον εἴη πρόσωπον *B* || 11 βουλεύεσθαι *B* | ἢ εἰ καὶ] εἰ δὲ καὶ *B* εἰ καὶ Ba. ἔτι δὲ coni. Sp. || 12 συντρέχων *B*[a] | φαίνεται *B* || 13 εἰ] ἢ *B* | ἀντεῖπέ om. *B* ἀντείποι Ba. | τις om. *B* || 14 φησι om. *B* || 16 ἡ[1] om. *B* || 17 ⟨εἰς⟩ τὰς Ald. | ὁμολογίας] ὁμονοίας *B* || 18 add. Ba. coll. supra 6 || 20 διχόθεν] δειχθὲν *B* | ⟨ἢ⟩ ἀπὸ *B* | καὶ] ἢ *B* || 21 μὲν ⟨γὰρ⟩ *B* || 22 φίλοι ἢ ὁμογενεῖς *B* | καὶ] ἢ *B* || 23 προϋπῆρξαν *B* | ὁμόφυλοι Ald. || 24 καὶ om. *B*

transmitted by history. Custom comes from two sources, either from the individual personality of the character under discussion or from common human qualities, as in the following: The Athenians deliberate whether it is necessary to bury the ten generals.[242] The argument from common human qualities is that it has been an established custom among all men in common to bury the dead; the argument from the individual quality of the person(s) involved is that if it was the custom of the Athenians even to bury foreign dead, as they did in the case of the Argives, clearly it is right that burying their own dead take a much higher priority. **12.** Then too there are reversals of the argument by the opponents, (saying) either because this is not the custom of others or because it is not our custom, judgments prevail even against law. And from much the same thoughts the conclusion is drawn that this is right: from those who deliberated, if the personal character of those involved was honorable and not the kind that seems to have made decisions with any deceit in mind, or if the decision would seem to be consistent with the ancestral laws; (or) from what is left out, if not even any of those now speaking in opposition said anything against it earlier. **13.** (Or) from an honorable judgment, to the effect—(the speaker) says—that the laws also order the judgments of the people to prevail. **14.** (Or) from a difference: democracy differs from tyranny in this, that the latter makes the people powerless, the former powerful. **15.** (Or) from the lesser: if it is legal even to defend private agreements, clearly much more so those of the people.

On the Just

16. Argument from the just is constructed in two ways, from a person and from a thing: it is just to go to their aid, for they are neighbors, if that should be the case, or relatives or friends or our benefactors. And again on the part of the opponents: if you should order vengeance because they are enemies, because they began it, because they are an alien race. From a thing: that it is fair, that it contributes to what is worthy, that it has seemed so to all those who have thought about justice.

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[242] Those accused of neglect of duty after the battle of Arginusae, 406 B.C., but only six were executed; cf. above, 8.12 and below, 10.47. Cf. also Hermogenes, *On Types of Style* pp. 244–45 ed. Rabe = Wooten p. 20.

ΠΕΡΙ ΣΥΜΦΕΡΟΝΤΟΣ

17. Τὸ συμφέρον κατασκευάζεται ἀπὸ τῶν ἐκβάσεων οἷα ἐκβήσεται πεισθεῖσι. τέλειαι δ' ἀποδείξεις συμφέροντος ὅταν ἐπ' ἄμφω ἀποδείξῃς, τί μὲν ἔσται πεισθεῖσι, τί δ' εἰ μὴ ἐπακούσαιεν, ὡς παρὰ Δημοσθένει ἐν Ὀλυνθιακοῖς· "ἀλλὰ μὴν ἡλίκα γ' ἐστὶ τὰ διάφορα ὑμᾶς ἐκεῖ πολεμεῖν ἢ παρ' ὑμῖν ἐκεῖνον, οὐδὲ λόγου προσδεῖν ἡγοῦμαι". **18.** ἔτι τελεία ἐστὶν ἐξέτασις συμφέροντος ὅταν δείξωμεν ὅτι καὶ ἡμεῖς ὠφεληθησόμεθα καὶ τοὺς ἐχθροὺς βλάψομεν. ἔτι καὶ ἀπὸ τοῦ χρόνου, ὅτι οὐκ εἰς τὸ παρὸν μόνον, ἀλλὰ καὶ εἰς τὸν πάντα χρόνον ἐκ τούτων ἄμεινον οἰκήσομεν. ἐκ παραδείγματος, ὅτι καὶ πρότερον πράξασι ταῦτα συνήνεγκε· καὶ ἀπὸ τοῦ ἐναντίου, ὅτι ἐλλειφθέντα ἔβλαψεν.

ΠΕΡΙ ΔΥΝΑΤΟΥ

19. Τὸ δυνατὸν ἐκ τῶν ἐκτὸς μάλιστα κατασκευάζεται, φίλων, χρημάτων, συμμάχων, τόπου, καιροῦ, θεῶν εὐνοίας. κατασκευάζεται δὲ καὶ ἐκ παραδειγμάτων, ὅτι καὶ πρότερον οὐκ ἐλάττονας πολέμους εὖ ἔθεντο. τελεία δὲ κατασκευὴ δυνατοῦ, εἰ δείξαιμεν ὅτι καὶ ἡμεῖς ἰσχυροὶ καὶ οἱ πολέμιοι ἀσθενεῖς, ὡς ἐν Φιλιππικοῖς πολλαχοῦ.

ΠΕΡΙ ΕΝΔΟΞΟΥ

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20. Τὸ ἔνδοξον κατασκευάζεται ἀπὸ τοῦ ταῖς τῶν πολλῶν διανοίαις συντρέχειν.

21. Αἱ δ' ἄτεχνοι πίστεις ἔγγραφα, βάσανοι, περὶ ὧν ἐν τῷ νομίμῳ λέλεκται, μαρτυρίαι. καὶ [μάρτυς] ὅτι ἀληθῆ λέλεκται, συνίσταται ἐκ ποιότητος προσώπου, τίς ὁ μάρτυς, ὅτι καλὸς καὶ ἀγαθός· ἐκ τῶν προγεγονότων, εἰ καὶ ἤδη τινὰ μαρτυρίαν ἀληθῆ μεμαρτυρηκὼς

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1 tit. om. *A* ‖ 3 τελεία . . . ἀπόδειξις *B* ‖ 4 ἀποδείξεις *B* | ὑπακούσαιεν *B* ‖ 5 μὴν del. Ba. | ἔσται *B* ‖ 6 ὑμᾶς] ἐνθάδ' ἢ D. | ἢ – ἐκεῖνον om. D. ‖ 8 βλάψωμεν *B* ‖ 9 ἅπαντα *B* ‖ 10 ⟨ἢ⟩ ἐκ παραδειγμάτων *B* ‖ 15 συμμάχων χρημάτων καιροῦ τόπου *B* ‖ 18 ἐν ⟨τοῖς⟩ *B* ‖ 20.21 ἐννοίαις *B* ‖ 22 νόμῳ *B* ‖ 23 del. Ha. | ἀληθὴς *B* | λέλεκται del. Ald. ‖ 24 προσώπων *A* ‖ 25 προγεγονότων] πρότερον ὄντων *B*

On the Advantageous

17. Argument from advantage (*sympheron*) is drawn from results, what sort of things will result for those who have been persuaded. Demonstrations (*apodeixeis*) of advantage are complete whenever you demonstrate both sides of the question: what (the advantage) will be for those persuaded and what (the disadvantage) will be if they do not listen, as in Demosthenes' *Olynthiacs*: "But I do not think there is need of a speech to point out how great the difference is between your fighting him there and his fighting in your territory."[243] **18.** Moreover, an examination of advantage is complete whenever we show both that we shall be benefited and that we shall harm our enemies. Moreover, also argument from time (is complete, whenever we show) that as a result of these things we shall live better not only for the present but for all time. (Or) from an example (whenever we show) that these things also benefited those who did them earlier. And from the opposite, that omitting them has done harm.

On the Possible

19. What is possible is mostly established from externals: friends, money, allies, place, opportunity, the goodwill of the gods. But it is also established from examples, (such as) that even earlier they successfully prosecuted wars of no less magnitude. Argument from the possible is complete if we have shown both that we are strong and the enemy weak, as in many passages in the *Philippics*.

On the Honorable

20. The honorable is established from what is consistent with the opinions of the many. *Some examples may have been lost here.*

21. Non-artistic proofs are written documents, evidence from the torture of slaves, things mentioned in what has been said about legality, and witnesses.[244] Whether a witness has spoken truthfully is demonstrated from the quality of his person: who the witness is, that he is a gentleman. (Also) from what has gone before, if he seems also in the past to have given true

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[243] Demosthenes 1.27.

[244] Cf. Aristotle, *Rhetoric* 1.15 and Anonymous Seguerianus §145.

φαίνεται· ἐκ διανοίας, ὅτι οὐ πρὸς ἔχθραν οὐδὲ πρὸς χάριν οὐδὲ πρὸς λῆμμά τι· ἐκ τοῦ πράγματος, ὅτι καὶ αὐτὸ τὸ λεγόμενον ἐκ τῶν ἄλλων εἰκότων συνίσταται ἀληθὲς ὄν.

10. ΠΕΡΙ ΕΠΙΛΟΓΟΥ

1. Ὁ ἐπίλογος τόπος τριμερής ἐστιν· ἔχει γὰρ καὶ ἀνάμνησιν τῶν εἰρημένων καὶ ἔλεον καὶ δείνωσιν· ἡ δὲ δείνωσις κατὰ τὴν αὔξησιν θεωρεῖται. τούτων τοίνυν περὶ πρώτου τοῦ τῆς ἀναμνήσεως διαλέξομαι.

297 **2.** Κατὰ τοῦτον δὲ θεωρεῖται ἡ καλουμένη ἀνακεφα | λαίωσις τῶν διὰ πολλῶν εἰρημένων, τῆς δ' ἰδέας τοῦ λόγου τῆς πραγματικῆς καλουμένης· εἰς δύο γὰρ εἴδη ὁ πᾶς λόγος διαιρεῖται (λέγω δὲ τὸν λόγον τὸν δικανικόν), τό τε πραγματικὸν καὶ τὸ παθητικόν· ὑποτάσσεται δὲ τῷ πραγματικῷ ἥ τε διήγησις καὶ ἡ ἀπόδειξις· τῷ δὲ παθητικῷ τὸ προοίμιον καὶ ὁ ἐπίλογος. πῶς οὖν εἰπόντες τοῦ λόγου τῆς ἰδέας τῆς παθητικῆς τὸν ἐπίλογον, τὴν ἀνάμνησιν τόπον οὖσαν αὐτοῦ μέρος πραγματικῆς εἶναί φαμεν; ὅτι κατὰ τοῦτον τὸν τόπον ἀνακεφαλαίωσιν ποιούμεθα τῶν ἀποδείξεων· ἐπεὶ οὖν τῶν πραγμάτων ἀνάμνησιν κεφαλαιώδη ποιούμεθα, διὰ τοῦτο πραγματικὸς οὗτος ὁ τόπος, ἰδικὸς ὢν τοῦ ἐπιλόγου.

3. Ζητεῖται δέ, εἰ ἐπὶ τέλους τῇ ἀνακεφαλαιώσει δεῖ χρῆσθαι τῶν λόγων ἢ μίαν χώραν οὐκ ἔχει, ἀλλὰ πολλαχοῦ ἡ χρῆσις αὐτῆς γίνεται. ἔνιοι μὲν οὖν ἐπὶ τέλους εἰσὶν αὐτῇ κεχρημένοι, ὡς καὶ ἐν τῇ κατηγορίᾳ τοῦ Δημάδου ἐποίησεν ὁ Ὑπερείδης καὶ ὁ Δημοσθένης ἐν τῷ κατὰ Ἀριστοκράτους καὶ Τιμοκράτους. ἔνιοι δὲ καὶ κατὰ μέσον τοῦ λόγου ἐχρήσαντο τῇ ἀναμνήσει, τουτέστι τῇ ἀνακεφαλαιώσει,

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1 φαίνοιτο *B* | οὐδὲ² – 2 τι om. *A* || 2 ἄλλων om. *B* || 4 tit. om. *A* || 5 ἐπίλογος] περὶ ἐπιλόγου *B* || 7 τοῦ] τόπου vel, pro περὶ πρώτου τοῦ, πρῶτον περὶ coni. Sp. || 9 κατὰ . . . θεωρεῖται] θεωρεῖται δὲ *B* | ἀνακεφαλαίωσις ⟨ἀθρόα μὲν ἀνάμνησις⟩ *B* || 11 διαιρεῖται Ba. θεωρεῖται *AB* | τὸν] νῦν *A* || 13 πραγματικῷ ⟨μὲν⟩ *B* || 17 οὖν] δὲ *B* | πραγμάτων Ald. πραγματικῶν *AB* || 18 πραγματικῆς *B* || 19 ὢν] δὲ *B* || 20 ἐζήτηται Greg. Cor. | τέλει ⟨τοῦ λόγου⟩ Greg. Cor. (τῶν λόγων omissis) || 21 πολλαχῶς *AB*, corr. Ba. ex Greg. Cor. || 22 εἰσὶν ἐπὶ τέλους *B* et (τέλει) Greg. Cor. || 23 τοῦ] τῇ *B* | ἐποίησεν ὁ om. *B* | ὁ² om. Greg. Cor. | ἐν *A* et Greg. Cor. ὡς ἐν *B* et Anon. || 24 ἔνιοι] πολλοὶ Anon. || 25 ⟨που⟩ τοῦ *B* | τῇ ἀναμν. ἐχρησ. Greg. Cor.

evidence. (Or) from intent, that (his testimony is) not based on malice nor favor nor some gain. (Or) from the subject, that what is said is shown to be true from other probabilities. *Some examples may have been lost here.*

Chapter 10: On Epilogue[245]

1. The epilogue is a topic in three parts; for it includes a reminder (*anamnēsis*) of what has been said and pity (*eleos*) and indignation (*deinōsis*).[246] Indignation is viewed[247] in terms of amplification. I shall speak now about the first of these, reminder.

2. What is called "recapitulation" (*anakephalaiōsis*) of what has been said in many passages is viewed in this way, and it belongs to what is called the "pragmatic" aspect of the speech; for the speech as a whole—I am talking about a judicial speech—is divided into two aspects, the pragmatic and the pathetical.[248] The narration and the demonstration (*apodeixis*) are grouped under the pragmatic, the prooemion and the epilogue under the pathetical. How then, since we have said that the epilogue belongs to the pathetical aspect, do we say that reminder, being a topic of it, is part of the pragmatic? Because in this topic we make a recapitulation of the demonstrations. When, then, we make reminder of the facts heading by heading, in this way the topic is pragmatic, being a special feature of the epilogue.

3. There is a question whether it is necessary to use recapitulation (only) at the end of speeches or whether it does not have one position but use of it occurs in many places.[249] Now some have used it (only) at the end, as Hypereides did in his accusation of Demades[250] and Demosthenes in (his speeches) *Against Aristocrates* and *Against Timocrates*. But some have also used it in the middle of a speech, that is, have used recapitulation, as Demosthenes

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[245] See the Introduction for reasons why this chapter, though it is perhaps based on Apsines' teaching, may have been written by one of his students.

[246] Cf. Cicero, *On Invention* 1.98. Aristotle (*Rhetoric* 3.19) identified four parts: disposing the hearer favorably toward the speaker and unfavorably toward the opponent; amplifying and minimizing the importance of the subject; moving the hearer's emotions; and giving a reminder of the chief points of the speech. The function of the epilogue, according to most later rhetoricians, is to recapitulate the arguments and to arouse the emotions of the audience to make the judgment the speaker urges; cf. Anonymous Seguerianus §198. The defense often seeks to awaken jurors' pity for the accused, the prosecution their indignation at what has been done; cf. Quintilian 6.1.9. Quintilian also notes (6.1.7) that an emotional epilogue was opposed "by most of the Attic writers and almost all philosophers."

[247] *Theōrētai*, which implies theory; cf. "what is called . . ." in the following lines. There is more technical vocabulary in this chapter than in earlier ones. Indignation is mentioned again only in 10.54.

[248] Cf. Cicero, *Partitiones oratoriae* 4, Anonymous Seguerianus §203, where the *eidē* are called *praktikon* and *pathētikon*, and anonymous commentary on stasis in Walz IV p. 417,12.

[249] Cf. Anonymous Seguerianus §211. Pp. 192, 20–200, 10 of our text are quoted by Gregory of Corinth in Walz VII pp. 1225, 5–1227, 5.

[250] For what is known of the speech, see Burtt, *Minor Attic Orators* II pp. 576–81.

ὡς ἀμέλει καὶ αὐτὸς ὁ Δημοσθένης ἐν τῷ τῆς Παραπρεσβείας λόγῳ. ἕτεροι δὲ ἤδη μεταξὺ τῶν προειρημένων καὶ τῶν ἀναγκαίων πίστεων
298 ἀνέμνησαν τῶν προηγουμένων ἀποδείξεων | κεφαλαιωδῶς μέλλοντες περὶ τῶν ἀναγκαίων διαλέγεσθαι. ἔστι δὲ καὶ ἕτερος τόπος τῆς ἀναμνήσεως γινόμενος ἐπὶ ἑνὶ ἀποδειχθέντι κεφαλαίῳ, οἷον· "ὡς μὲν οὖν παράνομόν ἐστι τὸ ψήφισμα μεμαθήκατε ἐκ τοῦδε καὶ τοῦδε τοῦ νόμου". ἢ οὕτως· "ὡς μὲν οὖν ἠδίκηκε τὴν πόλιν οὐκ ἐν καιρῷ πλεύσας ἐπὶ τὴν Ὄλυνθον, τοῦθ' ὑμῖν γέγονε γνώριμον ἐκ τῆς δαπάνης τῆς γεγενημένης, ἐκ τῶν ἐλπίδων ὧν ἐσφάλητε, ἐκ τοῦ γεγενῆσθαι τὸν Φίλιππον καθ' ἡμῶν μέγαν". τρεῖς οὖν ἔχει τόπους ἡ ἀνάμνησις, τουτέστιν ἡ ἀνακεφαλαίωσις, τὸν ἐπὶ τέλει τοῦ λόγου, τὸν μεταξὺ γινόμενον τῶν τε ἀναγκαίων καὶ τῶν προηγουμένων ἀποδείξεων, καὶ τὸν γινόμενον ἐπὶ ἑνὶ κεφαλαίῳ ἀποδεδειγμένῳ. ταύτῃ δὲ διαφέρουσιν ἀλλήλων αἱ ἀναμνήσεις, ὅτι ἡ μὲν ἐπὶ τέλει ἔκθεσιν ἔχει κεφαλαιώδη τῶν ζητημάτων ἁπάντων καὶ ἀνάμνησιν τῶν προηγουμένων ἀποδείξεων κεφαλαιωδῶς καὶ τῶν ἀναγκαίων, ἡ δὲ μεταξὺ γιγνομένη ἀνάμνησιν περιέχει τῶν ἀναγκαίων πίστεων, ἡ δ' ἐπὶ κεφαλαίῳ ἑνὶ ἀποδειχθέντι γινομένη οὐκ ἔτι κεφαλαίων ἀνάμνησις, ἀλλὰ τῶν λημμάτων δι' ὧν ἀπεδείχθη τὸ προκείμενον κεφάλαιον.

4. Πῶς οὖν ἀναμνήσομεν; ὑποδείξομεν ἤδη τοὺς τρόπους κεφα-
299 λαιωδῶς τοὺς τῆς ἀναμνήσεως λέγοντες· | "ἐπέδειξα μὲν τοὺς νόμους ὑμῖν παρ' οὕς ἐστι τὸ ψήφισμα εἰρημένον, ἐξήτασα τὰ τῷ Χαριδήμῳ πεπραγμένα ἐξ ὧν ἐφάνη δίκαιος οὐκ ὢν τῆς δωρεᾶς ταύτης τυχεῖν, καὶ ὡς οὐ συνοίσει τῇ πόλει, καὶ τοῦτο γέγονε γνώριμον".

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1 ὁ om. *B* | τῆς om. Greg. Cor. et Anon., del. Ba. | λόγῳ om. *B* ‖ 2 ἤδη om. *B* | προειρημένων et 3 προηγουμένων transp. Fi. ‖ 5 ⟨ὁ⟩ γιγνόμενος *B* | οἷον om. *B* ‖ 6 ἐστι παράνομον *B* | ψήφισμα ⟨τοῦτο⟩ *B* | καὶ τοῦδε om. *B* ‖ 7 ὡς] ὧν *B* | ἠδίκητε *B* ‖ 8 Ὄλυνθον] πόλιν *B* | γνώριμον] φανερὸν *B* | ἐκ ⟨τε⟩ *B* ‖ 9 ἐκ . . . ἐλπίδων] καὶ τῇ ἐλπίδι *B* | ἐσφάληται *B* | ⟨καὶ⟩ ἐκ Ba. ‖ 14 τέλει ⟨γιγνομένη τοῦ λόγου⟩ *B* et Greg. Cor. ‖ 15 ἀνάμνησιν – 16 ἀναγκαίων] τῶν προειρημένων ἀνάμνησιν Greg. Cor. ‖ 17 ἀναγκαίων] προηγουμένων Ha. (76) ‖ 18 ἀποδειχθέντι] ἀποδειθυθέντε B^a (-θαθέντι B^c) | ἀνάμνησιν ⟨ἔχει⟩ *B* et Greg. Cor. ‖ 20 τρόπους Ba. et Greg. Cor. τόπους *AB* | κεφαλαιωδῶς – 21 ἀναμνήσεως] τῆς ἀναμνήσεως (⟨πρῶτον μὲν⟩ coni. Sp.) κεφαλαιωδῶς *B* ἐροῦμεν οὖν κεφαλαιωδῶς Greg. Cor. | λέγοντες om. Greg. Cor. | ἐπεδείξαμεν *A* et Greg. Cor. ⟨***⟩ ἐπέδειξα Ba. ‖ 22 ἐξητήσαμεν Greg. Cor. ‖ 23 οὐκ ὢν δίκαιος *B* et Greg. Cor. | ταύτης om. *B* et Greg. Cor. ‖ 24 ⟨ὑμῖν⟩ γέγονε *B* et Greg. Cor. | γνώριμον] φανερόν *B* et Greg. Cor.

himself actually does in his speech *On the False Embassy.*[251] Others have reminded the audience of previously introduced demonstrations in between the preliminary statements and the full proofs[252] when they are about to discuss the full proofs. There is too another place for reminder occurring in one heading that has been demonstrated; for example, "You know that the decree is illegal from this and that law." Or as follows, "That he wronged the city by not sailing opportunely to Olynthus is known to you from all the expense that was incurred, from the hopes in which you were deceived, from the fact of Philip's having become strong against you."[253] Reminder, that is, recapitulation, therefore has three places: one at the end of the speech, one occurring between the full demonstrations and what has previously been introduced, and one occurring after a single heading that has been demonstrated. The reminders differ from each other in this, that the one at the end contains an exposition, by headings, of all the questions and a reminder of demonstrations previously introduced by headings and of full proofs; the one occurring in between (other passages) provides a reminder of the full proofs, and the one occurring after a single heading that has been demonstrated is no longer a reminder of headings but of the premises by which the previous heading was demonstrated.

4. How then shall we make a reminder? We shall now show the varieties of reminder, speaking in terms of headings:[254] "I showed you the laws in accordance with which the decree has been stated; I examined what was done by Charidemus, from which it appeared that it was not just for him to receive this gift, and that it will not be advantageous to the city, and this has become known."[255]

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[251] Demosthenes 19.177–78. Pp. 192, 24–194, 19 of our text are quoted in the anonymous commentary on stasis in Walz IV pp. 426, 20–31.

[252] Literally, "the necessary proofs."

[253] A summary of Demosthenes 1.8–9.

[254] On the topoi listed here, cf. Martin, pp. 151–52.

[255] A summary of Demosthenes 23.

5. Ἀναμνήσομεν δὲ καὶ διὰ προσωποποΐας. τί δ' ἐστὶν ἡ προσωποποΐα, ἀλλαχόθι που δεδηλώκαμεν, ἀλλὰ καὶ νῦν οὐδὲν ἧττον τί τέ ἐστι καὶ πῶς δι' αὐτῆς ἀναμνήσομεν, δῆλον ποιήσω. ἔστι μὲν οὖν προσωποποΐα παραγόμενον πρόσωπον τὸ οὐκ εἰς τὸ δικαστήριον παρόν, ἀποδημῶν [πατὴρ] ἢ τεθνεὼς ἢ πατρὶς ἢ στρατηγία ἢ νομοθεσία ἢ ἕτερον τῶν τούτοις παρεοικότων. τοιοῦτο μὲν οὖν ἐστὶν ἡ προσωποποιΐα. διὰ ταύτης δὲ τῶν εἰρημένων ἀνάμνησις οὕτω γίνεται, οἷον ἐπὶ Μιλτιάδου κρινομένου μετὰ Πάρον· ἀναμνῆσαι γάρ ἐστι τῶν τοῦ Μιλτιάδου δικαίων παρεισάγοντας τὸν καιρὸν τὸν Μηδικόν· "ὑπολάβετε, ὦ Ἀθηναῖοι, τὸν καιρὸν αὐτὸν ἐκεῖνον παρόντα νῦν ὑπὲρ Μιλτιάδου ποιεῖσθαι τοὺς λόγους"· καὶ ὑποθεὶς [τὸ] πρόσωπόν τις τὸν καιρὸν κεφαλαιωδῶς ἀναμνήσει τοῦ φόβου τοῦ κατασχόντος αὐτούς, τῶν τε τοῖς Ναξίοις συμβεβηκότων καὶ τῆς τῶν Ἐρετριέων
300 ἀνα | στάσεως, πῶς ἔπεισε τὸν πολέμαρχον τῆς ψήφου τῆς αὐτοῦ γενέσθαι, πῶς δὲ τῶν στρατιωτῶν ἡγήσατο τῆς νίκης, τῆς φυγῆς τῆς τῶν βαρβάρων. κέχρηται δὲ καὶ ὁ Δημοσθένης προσωποποιΐᾳ πρόσωπον ὑποθεὶς τὸν καιρὸν αὐτὸς αὐτῷ. ἐκεῖνος μὲν οὖν ἐν ἀρχῇ τοῦ πρώτου τῶν Ὀλυνθιακῶν τὸν καιρὸν παρεισήγαγε, καὶ ἐπὶ τέλει δὲ τοῦ λόγου ἥρμοσεν ἂν παρεισαχθεὶς εἰς τὴν ἀνάμνησιν τῶν εἰρημένων· "ὁ γὰρ παρὼν καιρὸς ταύτας ἀφίησι τὰς φωνάς, ὅτι τῶν πραγμάτων ὑμῖν ἐκείνων αὐτοῖς ἀντιληπτέον ἐστίν," ὅτι ἡ τῆς πόλεως τύχη βελτίων τῆς Φιλίππου, ὅτι πολλὰ πρὸς τὸ νικᾶν ἐστὶν ὑμῖν πλεονεκτήματα, ὅτι ἀσθενῆ τὰ τοῦ Φιλίππου παντάπασιν, ὅτι ἀναιρεθέντων Ὀλυνθίων ἐν τῇ ὑμῶν αὐτῶν ἀμυνεῖσθε τὸν βάρβαρον. οὕτως ἀνέμνησεν ἂν διὰ τῆς προσωποποιΐας κεφαλαιωδῶς τῶν εἰρημένων.

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1 ἡ om. *B* ‖ 3 ποιήσομεν *B* | μὲν οὖν om. Greg. Cor. ‖ 4 παραγόμενον] παραλαμβανόμενον *B* et Greg. Cor. (πρόσ. παραλ. Greg. Cor.) | ⟨ὂν⟩ εἰς *B* ‖ 5 παρόν om. *B* | ἀπόδημος *B* | del. Sp. ‖ 5.6 ἢ νομοθεσία del. Ba. ‖ 6 ⟨τι⟩ ἕτερον *B* | ἐοικότων *B* | οὖν ⟨τι⟩ *B* ‖ 7 τῶν om. *A* ‖ 9 τοῦ om. Greg. Cor. | μιλτιάδου ⟨καὶ κίμωνος⟩ *A* | παρεισάγοντες *AB*, corr. W. ‖ 10 ⟨οὖν⟩ ὦ Greg. Cor. | ἐκεῖνον αὐτὸν *B* | ⟨εἶτα⟩ ὑπὲρ Greg. Cor. ‖ 11 καὶ om. *B* et Greg. Cor. | ὑποθεὶς ⟨οὖν⟩ Greg. Cor. | del. Ba. | τις om. Greg. Cor. ‖ 12 τοῦ καιροῦ *AB*, corr. Ba. | ἀναμνήσει Greg. Cor. ὑπομν. *A* ὑπαναμν. *B* ‖ 14 πῶς ⟨τοῦ ἐν Μαραθῶνι παραστάντος κινδύνου⟩ coni. Ba. | ἔπεισε post πολέμαρχον Greg. Cor. ‖ 15 δὲ om. Greg. Cor. | ⟨πῶς⟩ τῆς νίκης ⟨γέγονεν αἴτιος, πῶς⟩ τῆς τῶν βαρβ. φυγῆς Greg. Cor. ‖ 17 ἑαυτῷ *B* ‖ 18 παρησ. *B* ‖ 20 ταύτας – φωνάς] μόνον οὐχὶ λέγει φωνὴν ἀφιείς D. | ἀφιεὶς ⟨ἐφάνη⟩ *B* | ἡμῖν *B* ‖ 21 αὐτοῖς om. *B* | ὅτι – 24 βάρβαρον locus ab rhetore fictus ‖ 22 ὑμῖν ἐστὶν *B* ‖ 23 τοῦ om. *B* | ἀναιρουμένων *B* ‖ 24 ἡμῶν *B* | ἀνεμίμνησκεν *A* ‖ 25 ⟨τὰ⟩ κεφ. *B* | τῶν ⟨δὲ⟩ *B*

5. We shall make a reminder also by means of prosopopoeia.[256] What prosopopoeia is we have made clear elsewhere,[257] but none the less I shall now also make clear what it is and how we shall make a reminder by using it. Prosopopoeia, then, is the introduction of a person who is not present in the court room, someone absent or one who has died or the Fatherland or a personification of generalship or of lawgiving or something else like these.[258] This, then, is what prosopopoeia is. By means of it a reminder of things that have been said occurs, as in the case of Miltiades brought to judgment after Paros;[259] for it is possible to remind the audience of the just deeds of Miltiades by introducing "the occasion" of the Median war (as a speaker): "Suppose, O Athenians, that very occasion was present now and made speeches about Miltiades." And by imagining "the occasion" as a person one will remind (the audience) in terms of headings of the fear that held them, of the things that happened to the Naxians and of the revolt of the Eretrians, how (Miltiades) persuaded the polemarch to cast his vote for him, and how he led the soldiers to victory and put the barbarians to flight.[260] Demosthenes too uses prosopopoeia when he imagines "the occasion" as a person speaking to himself. He introduced "the occasion" in the beginning of the *First Olynthiac*, and it would fit at the end of the speech too, if introduced into the reminder of what he had said: "For the present occasion cries out these words, that you must take these matters into your own hands,"[261] that the fortune of the city is better than that of Philip, that you have many advantages for victory, that Philip's resources are weak in all ways, that if the Olynthians are removed you will fight the barbarian on your own soil. Thus he would have reminded the audience by means of prosopopoeia of what has been said in the headings.

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[256] On figures of reminder discussed in this and the following paragraphs, see Martin, pp. 151–52.
[257] Presumably in a lost work on figures of speech.
[258] The definition seems to include any personification, but in contrast to ethopoeia as described below Apsines regards prosopopoeia as primarily the personification of an abstraction. What Apsines calls ethopoeia is called prosopopoeia by Quintilian 6.1.25–26.
[259] In 489 B.C. Miltiades was tried and fined for failing to capture Paros; cf. Herodotus 6.133–36. Cf. below 10.7 and 21.
[260] Cf. Herodotus 6.109–114, describing the battle of Marathon.
[261] Demosthenes 1.2.

6. Ἔτι ἀναμνήσομεν ἐξ ὑποτυπώσεώς τινος μέλλοντος γενέσθαι
πράγματος, ὡς Πολύευκτος ἐν τῷ κατὰ Δημάδου. ἐγράφη μὲν γὰρ
ψήφισμα χαλκῆς εἰκόνος τῷ Δημάδῃ, ὁ δὲ κατηγορῶν τοῦ ψηφίσματος,
ὅσα οὖν ἦν αὐτῷ διὰ πλειόνων εἰρημένα εἰς τὴν κατασκευὴν τοῦ ὅτι
μὴ ἦν ἄξιος τῆς τιμῆς τυχεῖν ταύτης, ταῦτα κεφαλαιωδῶς ἀνέμνη-
σεν ὑποτυπῶν τὸ σχῆμα τοῦ ἀνδριάντος· "τί γάρ," φησί, "σχῆμα ἕξει;
301 τὴν ἀσπίδα | προβαλεῖται; ἀλλὰ ταύτην γε ἀπέβαλεν ἐν τῇ περὶ Χαι-
ρώνειαν μάχῃ· ἀλλὰ ἀκροστόλιον νεὼς ἕξει;". ἔπειτα πυνθάνεται·
"ποίας; ἢ τῆς τοῦ πατρός; ἀλλὰ βιβλίον ἐν ᾧ φάσεις καὶ εἰσαγγελίαι
ἔσονται γεγραμμέναι; ἀλλὰ νὴ Δία στήσεται προσευχόμενος τοῖς
θεοῖς, κακόνους ὢν τῇ πόλει καὶ τὰ ἐναντία πᾶσιν ὑμῖν ηὐγμένος;
ἀλλὰ τοῖς ἐχθροῖς ὑπηρετῶν;". οὕτως μὲν οὖν ἀνέμνησε κεφαλαιωδῶς,
ἐξ ὧν αὐτὸν ἐδείκνυεν οὐκ ὄντα τῆς τιμῆς τυχεῖν ταύτης ἄξιον.

7. Ἔτι ἀναμιμνῄσκειν ἐστὶν ἐκ τῆς καλουμένης ἠθοποιΐας. ἔστι
δ' ἠθοποιΐα λόγος περιτιθέμενος προσώποις ὑποῦσιν, οἷον· "τίνα νῦν
ἐροῦσιν οἱ θεασόμενοί με ἀγόμενον εἰς τὸ οἴκημα; Μιλτιάδης οὗτος
ὁ στρατηγήσας τῆς ἐν Μαραθῶνι μάχης, ὁ τὴν νίκην παρασκευάσας
τῇ πόλει, ὁ τοὺς βαρβάρους σφήλας τῆς ἐλπίδος". κέχρηται τούτῳ
τῷ τρόπῳ καὶ Ὑπερείδης ὑπὲρ Λυκούργου λέγων· "τίνα φήσουσιν οἱ
παριόντες αὐτοῦ τὸν τάφον; οὗτος ἐβίω μὲν σωφρόνως, ταχθεὶς δ'
ἐπὶ τῇ διοικήσει τῶν χρημάτων εὗρε πόρους, ᾠκοδόμησε δὲ τὸ θέατ-
302 ρον, τὸ ᾠδεῖον, ⟨τὰ⟩ νεώρια, τριήρεις | ἐποιήσατο, λιμένας· τοῦτον ἡ
πόλις ἡμῶν ἠτίμωσε, καὶ τοὺς παῖδας ἔδησεν αὐτοῦ". κέχρηται καὶ
Σοφοκλῆς ἐν Ἠλέκτρᾳ τὴν ἀδελφὴν τὴν αὑτῆς τὸν Αἴγισθον καὶ τὴν

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1 ἔτι ἀναμν. Fi. ἐπαναμν. *AB* | ⟨ἢ⟩ ἐξ *B* ⟨καὶ⟩ ἐξ Bai. et Sauppe | γίνεσθαι *B* || 3 κατηγορεῖ *AB*, corr. Sauppe || 4 οὖν om. *B* | εἰς] κατὰ *B* || 5 ἦ *B* | ταύτης om. *B* || 7 προβαλεῖται cod. *G* προβέβληται *AB* προβεβληκότως Ruhnken προβεβλήσεται Rei. || 8 ⟨τῇ⟩ μάχῃ post 7 ἐν *B* || 8 νηὸς *A* || 9 ἐπαγγελία *A* || 10 εὐχόμενος *B* || 12 μὲν οὖν om. *B* μὲν susp. Ha. qui coni. ἔτι δ' cf. infra 200.5 || 13 ἄξιον τυχεῖν (ταύτης om.) *B* || 15 προσώποις ⟨ἐν τῷ βίῳ⟩ περιοῦσι περιτιθ. Greg. Cor. | ἀποῦσι Volkmann || 16 θεασάμενοί *AB* et Greg. Cor., corr. Fi. || 17 στρατηγήσας et ὁ ante τὴν om. *B* et Greg. Cor. | κατασκευάσας Greg. Cor. || 18 τῆς ἐλπ. σφ. Greg. Cor. || 19 τρόπῳ Ba. τόπῳ *AB* et Greg. Cor. | ⟨τοῦ⟩ λυκούργου Greg. Cor. εὐβούλου που A^a βούλου που A^c, lege ⟨τῶν τοῦ⟩ Λυκούργου ⟨παίδων⟩ || 20 οὗτος] ὃς coni. Naber || 22 ᾠίδιον *B* | add. Ba. | νεώρια om. (in fen.) *A* | ἐποιήσατο] κατεσκευάσατο coni. Naber | λιμένας om. (litt. evanidis) *A* ⟨καὶ⟩ λιμένας Sauppe λιμένας ⟨ἔκλεισε⟩ Ba. || 23 ἠτίμασε *B* et Greg. Cor. | παῖδας] πόδας *A* | ⟨καὶ⟩ χρῆται *B* || 24 ⟨ὁ⟩ Σοφ. coni. Ha. | τὸν ἀδελφὸν τὸν *AB*, corr. W. | τὴν² del. W. | τὸν om. *A*

6. Furthermore, we shall make a reminder from hypotyposis[262] when something is going to happen, as Polyeuctus did in his speech against Demades. A decree had been proposed for a bronze statue of Demades. Polyeuctus, who was attacking the decree, gave a reminder, by headings, of what he had said in many words for proof that Demades was not worthy of obtaining this honor, vividly describing the form the statue would take: "For what form will it take?" he says; "Will it hold a shield in front? But he threw away his shield in the battle of Chaeroneia. Or will it have the prow of a ship?" Then he asks, "What sort of ship? That of his father? But will there be a book in which his denunciations and impeachments will be written? Or, by Zeus, will he be standing praying to the gods, he a man who hates the city and has boasted of things opposed to all of you? But (will he be shown) serving our enemies?"[263] In this way he reminded the audience of the headings of his argument, from which he showed that Demades was not worthy of this honor.

7. Furthermore, it is possible to remind the audience by means of what is called *ēthopoeia.* Ethopoeia is speech attributed to (real) persons who are imagined as present; for example, "What now will they call me when they see me led to prison? I, Miltiades, general at the battle of Marathon, the one who secured victory for the city, the one who disappointed the hope of the barbarian."[264] Hypereides also uses this trope when speaking on behalf of Lycurgus: "What will those say who come to his tomb? 'He lived temperately; and when appointed to administer money he found funds; he built the theater, the Odeon, the dockyards, trieremes, harbors.' This is the man our city dishonored, and it imprisoned his sons."[265] Sophocles also uses (ethopoeia) in his *Electra* where she is ordering her sister to kill Aegistheus and

[262] I.e., vivid description; called *diatypōsis* in Anonymous Seguerianus §233 and not significantly different from what Apsines elsewhere calls *hypographē.*
[263] Polyeuctus, frag. 1, ed. Baitter and Sauppe.
[264] Cf. below, 10.21.
[265] Hyperides, fr. 23 in Burtt, *Minor Attic Orators* II pp. 580–83. After Lyrcurgus' death in 324 B.C. Menesaechmus prosecuted his children on the grounds that he was a state debtor. Hyperides and Demosthenes defended them successfully; cf. Plutarch, *Lycurgus* 842e.

μητέρα ἀποκτεῖναι κελευούσῃ· πειρᾶται δ' αὐτὴν ἀναπείθειν ἐξ ἠθοποιΐας· "οἱ γὰρ βλέποντες ἡμᾶς", φησί, "τὰ καὶ τὰ ἐροῦσι". καὶ ἐν Ἀπολογίᾳ δὲ Σωκράτους ὁ Πλάτων δι' ἠθοποιΐας ἀναμιμνῄσκει. τοιοῦτος μὲν οὖν ἐστιν οὗτος ὁ λόγος.

8. Ἔτι ἀναμνήσομεν δὲ καὶ διὰ τῆς συγκρίσεως τῶν ἀμφοτέροις ⟨προσηκόντων⟩ δικαίων, οἷον· "ὁ μὲν ἥκει πρὸς ὑμᾶς τῆς ἀδείας τυχεῖν βουλόμενος, ἐμπρήσας μὲν ὑμῶν τὰς τριήρεις, γεγονὼς δ' ὑμῖν τηλικαύτης αἴτιος ζημίας, προβαλλόμενος δὲ τὴν στρατηγίαν ἐν ᾗ ταῦτα διεπράξατο· ἐγὼ δ' ὑπάγων αὐτὸν τοῖς νόμοις καὶ βουλόμενος ὑμῖν αὐτὸν τιμωρίαν ὑποσχεῖν ἀνθ' ὧν ἐζημίωσε τὸ κοινόν. καὶ ὁ μὲν πρὸς τῷ τὴν πόλιν αὐτὸς ἠδικηκέναι καὶ τοῖς ἄλλοις στρατηγοῖς οἴεται ἄδειαν ⟨δεῖν⟩ παρασχεῖν τοῦ τὰ ὅμοια πράττειν, ἐγὼ δὲ καὶ τούτους ἡγοῦμαι τῷ τὰ ὅμοια τούτῳ παθεῖν δεδοικέναι μηδὲν ὅμοιον
303 αὐτῷ ζημιώσειν τὴν πόλιν". ἢ οὕτως | ἀντιπαραβαλοῦμεν τὰ ἀλλήλων δίκαια· "ἐγὼ μὲν ἀξιῶν ὑμῖν τοὺς νόμους εἶναι κυρίους δευρὶ πάρειμι, ὁ δ' ἀκύρους αὐτοὺς καὶ μηδενὸς ἀξίους· κἀγὼ μὲν τιμᾶσθαι παρ' ὑμῖν τοὺς ὑμετέρους εὐεργέτας, ὁ δὲ τοὺς ἄνωθεν ὑμᾶς λελυπηκότας· κἀγὼ μὲν τοῦτο γενέσθαι, ὃ πραχθὲν οὐ ζημιώσει τὴν πόλιν, ὁ δ' ἐξ οὗ τὸ κοινὸν μέλλει βλάπτεσθαι".

9. Ἔτι δ' ἀναμνήσομεν διὰ ψηφίσματος εἰσφορᾶς, ὡς Ὑπερείδης ψηφίσματος κατηγορῶν ὑπὸ Δημάδου γραφέντος ⟨τοῦ⟩ πρόξενον Εὐθυκράτην εἶναι γράψαντος [αὐτοῦ] ἀντεισφέρει ψήφισμα δι' οὗ ποιεῖται τὴν ἀνακεφαλαίωσιν τῶν εἰρημένων· "ἃ μὲν γὰρ οὗτος", φησίν, "εἰσκεκόμικεν, οὐκ ἔχει τὰς ἀληθεῖς αἰτίας τῆς προξενίας, ἐγὼ δέ, εἰ δεῖ πρόξενον ὑμῶν αὐτὸν γενέσθαι, δι' ἃ τούτου τεύξεται

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1 κελεύουσα ⟨καὶ (καὶ del. Sp.) τὴν κλυταιμνήστραν⟩ *A* ‖ 2 οἱ] εἰ *B* ‖ 4 οὖν om. *B* | λόγος] τρόπος coni. Ba. ‖ 5 ἔτι – 10 κοινόν profert cum interpolationibus Greg. Cor. 7.1226.24–28 ‖ 5 ἔτι ἀναμν. Sp. ἐπαναμν. *AB* | ⟨καὶ⟩ δὲ καὶ coni. Sp. ‖ 6 add. Ba. ex Greg. Cor. | ἀδείας . . . 7 βουλόμενος] ἀδικίας βουλόμενος ὑμῶν τυχεῖν *B* ‖ 8 ζημίας αἴτιος *B* et Greg. Cor. ‖ 9 ταυτὶ *B* et Greg. Cor. ‖ 10 ἡμῖν *B* | τὰ κοινά Greg. Cor. ‖ 12 οἴεται ⟨μὲν⟩ *B* | add. Ba. ‖ 13 πάσχειν *B* | μηδὲν ⟨ἄν⟩ Ba. ‖ 14 ζημιώσαι *AB*, corr. Ba. ‖ 16 αὐτοὺς ⟨εἶναι⟩ Ba. ‖ 17 ὑμετέρους] τῆς πόλεως *B* ‖ 18 γίνεσθαι Ba. | οὐκ ἐζημίωσεν *B* ‖ 20 ⟨ὁ⟩ ὑπερείδης *B* ‖ 21 κατηγορῶν ψηφίσματαος *B* | γραφὲν ⟨τῷ⟩ *B* | add. Meier ‖ 22 εὐθυκράτη *B* | del. Meier ⟨ἀντ'⟩ αὐτοῦ Sp. αὐτὸς Ba. | εἰσφέρει *AB*, corr. Meier ‖ 25 δεῖ] ἔστι *B* ἔτι coni. Ha. | ὑμῖν Ha. | αὐτὸν] αὐτῶν *B* | δι' ἃ Ba. διὰ *B* διὸ *A* | τούτων *B*

their mother; she tries to persuade her by an ethopoeia: "For those looking at us," she says, "will say this and that."[266] And in the *Apology of Socrates* Plato uses ethopoeia as a reminder.[267] Such then is this kind of speech.

8. Furthermore, we shall make a reminder also by comparison (*synkrisis*) of what each side of the case regards as just; for example, "He, for his part, comes to you wishing to obtain his personal safety, though he has burned your ships and become liable to you for great punishment, alleging as an excuse the expedition on which he did these things. I, on the other hand, am bringing him to answer to the laws and I want him to give you retribution for what the commonwealth suffered. And he, for his part, in addition to having himself done the city harm, also thinks the other generals should have no fear of doing the same things. But I think that they, by having feared the same punishment as he, will not harm the city as he has." Or we shall compare the justice of each side, as follows: "I am here because I think it right for your laws to prevail, but he prefers them not to be applied and to be worthless. And I think your benefactors should be honored among you, while he would honor those who have harmed you from on high.[268] And I want something to happen which, if done, will not harm the city, while he wants something from which the commonwealth is going to be harmed."

9. Furthermore, we shall make a reminder by introduction of a decree, as Hypereides did when attacking the decree introduced by Demades, who proposed that Euthycrates should be designated a proxenus; in its place Hypereides proposed another decree and in so doing recapitulated what had been said: "The arguments Demades has brought forward," he says, "do not give the real reasons for the appointment as proxenus. But if Euthycrates is going to be your proxenus, let me submit to you in writing a

[266] Sophocles, *Electra* 975ff. "What citizen or stranger, seeing us, will not receive us with praises such as these: 'See these two sisters, my friends, who saved their father's house. . . .'"

[267] The remarks Socrates reports making to Athenians as he goes around the city, *Apology* 30b.

[268] *Anōthen* can mean from the interior of Asia; i.e., the Persians.

⟨ταῦτα⟩ γράψας εἰσφέρω". ἔπειτα τὸ ψήφισμα εἰσφέρει· "δεδόχθαι γὰρ (φησι) αὐτὸν εἶναι πρόξενον, ὅτι τὰ Φιλίππῳ συμφέροντα καὶ λέγει καὶ ποιεῖ, ὅτι γενόμενος ἵππαρχος τοὺς Ὀλυνθίων ἱππέας προὔδωκε Φιλίππῳ, ὅτι τοῦτο πράξας αἴτιος τοῦ Χαλκιδέων ὑπῆρξεν ὀλέθρου, ὅτι ἁλούσης Ὀλύνθου τιμητὴς ἐγίνετο τῶν αἰχμαλώτων, ὅτι ἀντέπραξε τῇ πόλει περὶ τοῦ ἱεροῦ τοῦ Δηλίων, ὅτι τῆς πόλεως περὶ Χαι-
304 ρώνειαν ἡττηθείσης οὔτε ἔθαψε τῶν τεθνεώτων τινὰς | οὔτε τῶν ἁλόντων οὐδένα ἐλύσατο". διὰ τούτων κεφαλαιωδῶς ἀναμιμνῄσκει τῶν παρ' ὅλην τὴν κατηγορίαν εἰρημένων κατ' αὐτοῦ.

10. Ἔτι ἀναμνήσομεν ἐκ τῆς καλουμένης γνωσιγραφίας, κατὰ ταύτην κεφαλαιούμενοι τὰ εἰρημένα· ἔστι δὲ γνωσιγραφία ἀπόφασις δικαστῶν, οἷον· "τί δ' ἀφιέντες γράψετε; ἐξεῖναι καταλύειν τοὺς νόμους, πράττειν τὰ τῇ πόλει μὴ συμφέροντα, δημεύειν ἀλλοτρίας οὐσίας".

11. Ἔστιν ἀναμιμνῄσκειν καὶ διὰ νόμων εἰσφορᾶς, ὡς ἀναμιμνῄσκειν ὑπάρχει διὰ ψηφίσματος εἰσφορᾶς, οἷον· "ὑπολαμβάνετέ με νῦν νόμον εἰσφέρειν, μηδένα ἐπιβουλεύειν τοῖς ἀλλοτρίοις παισίν, ἐξουσίαν ἔχειν τοὺς πατέρας τῶν υἱέων, τοὺς στρατιώτας μὴ ἐπιβουλεύειν τοῖς εὐεργέταις τοῖς ἑαυτῶν, μὴ ποιεῖσθαι κέρδη τὰς ἀλλοτρίας συμφοράς· εἰ τοῦτον εἰσέφερον τὸν νόμον, οὐκ ἂν ἐκυρώσατε; τοῦτον δ' ἀντὶ τούτου εἰσφέρειν ἕτερον νόμον τὸν τὰ ἐναντία τούτῳ κελεύοντα, κυρίους εἶναι τῶν ἀλλοτρίων παίδων τοὺς μηδὲν προσήκοντας αὐτοῖς, τοὺς ἀδικήσαντας μηδεμίαν τιμωρίαν ἐκτίνειν, ἄδειαν τοὺς στρατιώτας ἔχειν τοῦ ποιεῖν ἅπαντας κακῶς".

12. Ἔτι ἀναμνήσομεν δι' ἐπιγραφῆς ἤτοι εἰκόνος ἢ | ἀνδριάντος ἢ
305

1 add. Ba. | εἰσφέρων *B* | δεδεῖχθαι *B* δεδόκται coni. Ha. || 2 πρόξενον αὐτὸν εἶναι *B* | διότι *B* | λέγει] πράττει *B* || 3 ποιεῖν] λέγει *B* | γενηθεὶς *A* || 5 ἐγένετο *B* || 8 ἐλύσατο] ἐρρύσατο *B* | τοῦτο *B* | τῶν] τὴν *B* || 10 ἀναμνήσωμεν Anon. | ἐκ Fi. coll. 198.1, 14 ἐπὶ *AB* || 11 αὐτὴν *B* et Anon. | ἀνακεφαλούμενοι *B* et Anon. ἀνεκεφαλαιούμενοι Fi. | ⟨ἡ⟩ γνω. *B* et Anon. || 12 δ'] δαὶ *B* || 15 ἔστι ⟨δὲ⟩ *B* | καὶ om. *B* | νόμου *A* | ὡς – 16 εἰσφορᾶς om. *A* || 16 οἷον] δι' ὃν *B* | ὑπολαμβάνεταί *B* | με del. Sp. μὲν *B* ἐμὲ μὲν (νῦν deleto) Ba. || 17 τοῖς om. *A* || 18 ἔχει *B* | υἱῶν *B* || 19 κέρδη ⟨ἑαυτῶν⟩ *B* || 20 εἰσέφερε *AB*, corr. Ba. || 21 ἀντὶ – εἰσφέρειν] ἀντεισφέρειν Ba. | τούτου Sp. τοῦ *AB* | τούτῳ] τούτοις ποιεῖν *B* || 22 οὐδὲν *B* || 23 ⟨υἱοὺς⟩ ἀδικήσαντας Fi. | ἐκτείνειν *B* || 24 πάντας *B* || 25 ἐπαναμνήσομεν *A* | ὑπογραφῆς *AB*, corr. Fi. | ἤτοι] ἢ *B*

statement of the services for which this will be his reward." Then he introduces the decree. He says that it has been decreed that he be proxenus because "He speaks and acts in the interests of Philip; because as cavalry commander he betrayed the Olynthian cavalry to Philip; because through this act he was cause of the destruction of the Chalcideans; because on the capture of Olynthus he assessed the price of the prisoners; because he worked against the city in the matter of the temple at Delos; because when the city was defeated at Chaeroneia he neither buried any of the dead nor ransomed any of the prisoners."[269] In this way he reminds the audience, heading by heading, of what he had been saying throughout his accusation.

10. Furthermore, we shall make a reminder by what is called *gnōsigraphia*, using it to sum up what has been said. Gnosigraphia is an (imaginary) declaration of the jury;[270] for example, "But what will you write if you let him go? That it is permitted to negate the laws, to do things not in the interests of the city, to confiscate other people's property?"[271]

11. It is possible to make a reminder also by introduction of laws, just as it is possible to make a reminder by introduction of a decree; for example, "Imagine me now to be introducing a law prohibiting anyone from plotting against other people's children, giving fathers authority over sons, preventing soldiers from plotting against their own benefactors, forbidding making a profit from other people's misfortunes. If I were to introduce this law, would you not ratify it? But my opponent is introducing this other law, one that orders the opposite of mine: that men who are not relatives be in control of others' children, that those who do wrong pay no penalty, that soldiers have immunity in doing all things wrongly."

12. Furthermore, we shall make a reminder by (imagining) an inscription

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[269] Hypereides, frag. 19 in Burtt, *Minor Attic Orators* II 576–79. Cf. Demosthenes 18.48.

[270] That is, the speaker ironically casts the effect of acquittal or conviction in the form of an opinion the jury might give in either case.

[271] Quoted by the anonymous scholiast on stasis in Walz VII p. 689.

τάφου ἢ τῶν τοιούτων τινός, οἷον καὶ τὸν Ἐπαμεινώνδαν φασὶ θανάτου κρινόμενον παρὰ τοῖς Θηβαίοις ποιῆσαι. παρελθὼν γὰρ ἔφη· "ἀποκτείνατέ με, ὦ Θηβαῖοι. ἐκεῖνο δέ μοι παρ' ὑμῶν ὑπαρξάτω ἐν τῇ στήλῃ, ὅτι παραλαβὼν τὴν πόλιν δουλεύουσαν τὴν ἑαυτοῦ ἠλευθέρωσε καὶ Λακεδαιμονίους ἐκράτησε μάχῃ καὶ διέβη εἰς Πελοπόννησον, τὰ καὶ τὰ διεπράξατο". δύναται δὲ ὁ Ἐπαμεινώνδας καὶ οὕτω λέγειν· "μὴ ποιήσητέ μου τάφον· παριὼν γάρ τις μνημονεύσει καὶ ἐρεῖ τὰ καὶ τά". ἔστι δ' ὑπομιμνῄσκειν οὐ μόνον διὰ τῆς ἐπιγραφῆς τῆς γινομένης διὰ γραμμάτων, ἀλλὰ καὶ τῆς ἐκτύπωσιν ἐχούσης τῶν γεγενημένων, ὡς ἐπὶ Θεμιστοκλέους· "εἰ δ' ἀποκτενεῖτέ με, ἔστω μνῆμα δηλοῦν ἐπὶ τῷ ἐμῷ τάφῳ τούτων ἕκαστον, δι' ἃ νῦν φθονούμενος κρίνομαι, Ἀρτεμίσιόν που καὶ Σαλαμὶς γεγράφθω καὶ στόλος βασιλικὸς καὶ τὸ Ἀθηναίων ναυτικόν"· καὶ τῶν ἄλλων ἕκαστον ἀξιώσει τούτοις ἐγγεγράφθαι.

13. Ἔστι δ' ἀναμιμνῄσκειν τῶν εἰρημένων καὶ καθ' ἕτερον τρόπον τῷ σχήματι τῷ τῆς πεύσεως χρώμενον, ἀνερωτῶντα τοὺς δικαστάς· "διὰ τί ἀφήσετε τὸν φεύγοντα;" ὡς Αἰσχίνης πεποίηκε· πυνθάνεται γὰρ τῶν δικαστῶν· "διὰ τί ἀφήσετε τὸν Κτησιφῶντα; ὅτι νόμιμον
306 τὸ ψήφισμα; ἀλλὰ δέδεικται παρὰ τοὺς νόμους | γεγραμμένον· ὅτι Δημοσθένης εὔνους τῇ πόλει; ἀλλὰ καὶ οὗτος δέδεικται κακόνους ὢν τῷ δήμῳ· ὅτι Κτησιφῶν αὐτὸς ἐξ ἀγνοίας τὸ ψήφισμα ἁμαρτὼν ἔγραψεν, ἢ ἀναγκάσαντος αὐτόν τινος; οὐδὲ διὰ τούτων οὐδὲν αὐτοῦ ἀποψηφιεῖσθε".

14. Τοσαυταχῶς οὖν ὑπομιμνῄσκειν ὑπάρχει, τουτέστι χρῆσθαι τῇ ἀνακεφαλαιώσει καλουμένῃ. ἀναμνήσομεν γὰρ καὶ ἐπερωτῶντες τοὺς δικαστὰς τὰς αἰτίας διὰ τί ἀφήσουσι τὸν κρινόμενον, ἔπειτα ἐξ ἐπιγράμματος [καὶ τούτου διχῶς θεωρουμένου], ἐξ εἰσφορᾶς νόμου ἢ

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1 οἷον ⟨ὃ⟩ *B* ‖ 3 Θηβαῖοι W. ἀθηναῖοι (per compendium) *AB* ‖ 4 αὐτοῦ *B* ‖ 5 ⟨ἐν τῇ βοιωτίᾳ⟩ ἐκράτησε *B* | διαβὰς *B* ‖ 8 ὑπομιμνῄσκειν οὐ] οὐχ οὕτως ἀναμιμνῄσκειν *B* ‖ 9 τῆς[2] Fi. τὴν *AB* ‖ 10 ὡς] οἷον *B* ‖ 11 ὑπόμνημα *B* | δι' ὃ *A*, corr. Fi. διὸ *B* ‖ 14 γεγράφθαι *A* ‖ 15.16 ἑκάτερον τόπον τὸ σχῆμα τὸ *B* ‖ 16 πεύσεως] πίστεως *A* ‖ 17 φήσετε *A* | πεποίηται *A* ‖ 18 φήσετε *A* ‖ 20 ⟨ὁ⟩ δημοσθένης *B* ‖ 21 ἁμαρτῶν *A* ‖ 22 ἢ om. *A* ‖ 23 ⟨δικαίως⟩ ἀποψηφιεῖσθε *B* ‖ 24 ἀναμιμνῄσκειν *B* ‖ 25 καὶ ἐπερωτῶντες] κατὰ ἐρώτησιν *B* ‖ 26 τῶν αἰτιῶν *B* | φήσουσι τοὺς κρινομένους ⟨ἐᾶν⟩ *A* ‖ 27 del. Ha. | καὶ om. *B* | θεωροῦμεν ⟨οὐκ⟩ *B* διαιρουμένου Ba. | ἢ Ba. ἐκ *A* καὶ *B*

or likeness or statue or tomb or something of the sort; for example, as they say Epaminondas did when being tried on a capital charge by the Thebans.[272] He came forward and said, "Kill me, Thebans. But let it be inscribed by you on my gravestone that finding his city enslaved, he freed her, and he defeated the Lacedaimonians in battle and he crossed into the Peloponnese, and he accomplished this and that." Epaminondas could also have spoken as follows: "Make not my tomb. For someone coming to it will remember and will say this and that." It is possible to suggest a memory not only by (imagining) an inscription in written letters but also (by imagining) a pictorial description of deeds, as in the case of Themistocles: "But if you kill me, let there be a clear memorial on my tomb of each of the things for which I am now being judged out of envy; let Artemisium and Salamis be pictured somewhere and the King's expedition and the fleet of the Athenians." And he will think it right for each of the other things (he has done) to be carved with these.

13. It is also possible to make a reminder of what has been said, and in another way, by using the figure of rhetorical question;[273] (for example,) asking the jurors "Why will you let the defendant go?" As Aeschines did; for he asks the jurors, "Why will you acquit Ctesiphon? Because his decree is legal? But it has been shown to be written in violation of the laws. Because Demosthenes has had good will toward the city? But he has been shown to be hostile to the people. Because Ctesiphon himself introduced the decree by a mistake, out of ignorance, or somebody forced him to do it? You will not acquit him for any of these reasons."[274]

14. These, then, are the many ways of making a reminder, that is, of using what is called "recapitulation"; for we remind by asking the judges the cause for which they will acquit the man being tried, and by (imagining)

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[272] On the trial and speech of Epaminondas (370 B.C.), see Cornelius Nepos, *Epaminondas* 8.
[273] Here called *peusis*.
[274] A rough paraphrase of Aeschines 3.230.

ψηφίσματος, ἐκ τῆς γνωσιγραφίας, ἐκ τῆς [παραθέσεως] ἀμφοτέρων τῶν δικαίων συγκρίσεως, πάλιν ἐξ ἠθοποιΐας, ⟨ἐξ ὑποτυπώσεως, ἐκ⟩ προσωποποιΐας, ἐκ τῆς κεφαλαιώδους ἐκθέσεως τῶν εἰρημένων. καὶ περὶ μὲν τῆς ἀνακεφαλαιώσεως ταῦτα λέγειν ὑπάρχει.

ΠΕΡΙ ΕΛΕΟΥ

15. Ἐπειδὰν δὲ μέλλωμεν ἔλεον κινεῖν, προπαρασκευάσομεν τοὺς δικαστὰς πρὸς τοῦτο ἡμῖν ἐπιτηδείως ἔχειν· οὐ γὰρ ἐξαίφνης ἐπιχειρεῖν δεῖ τούτῳ τῷ τόπῳ, ἀλλὰ μετὰ παρασκευῆς τινος· ἀνύσομεν γάρ τι καὶ οὕτω μᾶλλον τῶν δικαστῶν ἀναπεπεισμένων καὶ παρωξυσμέ | νων πρὸς τὸ ἐλεεῖν τὸν κρινόμενον. πῶς οὖν παρασκευάσομεν;
307 τοῦτον τὸν τρόπον· κοινῷ τόπῳ χρησόμεθα περὶ ἐλέου καὶ φιλανθρωπίας, καὶ περὶ τοῦ δεῖν φρονεῖν ἀνθρώπινα καὶ ἡμέροις χαίρειν μᾶλλον ἤπερ ἀποτόμοις, τὸ τοιοῦτον εἶναι λέγοντες πολιτικὸν καὶ χρηστὸν καὶ φιλάνθρωπον καὶ τρόπου πεπαιδευμένου, καὶ τοὺς οὕτως ἔχοντας ἐπαινεῖσθαι μᾶλλον τῶν οὕτως οὐκ ἐχόντων, καὶ ὅσον διαφέρουσιν οἱ ἄνθρωποι τῶν θηρίων, τοσοῦτον διαφέρειν τοὺς ἐλεήμονας τῶν ἀνελεῶν· καὶ ἔτι φήσομεν τοὺς οὕτως ἔχοντας, εἴ ποτε ἄρα δεηθεῖεν τῆς παρ' ἄλλων φιλανθρωπίας, ῥᾷον αὐτῆς τυγχάνειν· δεῖν δ' ὄντας ἀνθρώπους προορᾶσθαι τὸ μέλλον. **16.** Ἀθήνῃσι μὲν οὖν λέγοντες καὶ ἀπὸ κρίσεως καὶ ἀπὸ ἔργων γεγενημένων τὸν κοινὸν τόπον τοῦτον κατασκευάσομεν· "Ἐλέου βωμός ἐστι παρ' ὑμῖν, θεὸς εἶναι δοκεῖ παρ' ὑμῖν ἡ κοινὴ πάντων φιλανθρωπία, ἐπὶ τούτῳ παρὰ τοῖς ἄλλοις εὐδοκιμεῖτε πᾶσι· μὴ οὖν ἀλλοιωθῆτε νῦν". καὶ παραδείγματα προοισόμεθα, τοὺς καταφυγόντας μὲν ἐπὶ τὸν βωμὸν μὴ ἀτυχήσαντας δὲ ὧν ἠξίωσαν, οἷον τοὺς Ἡρακλείδας, καὶ εἰ δή τινες ἕτεροι λέγονται τὸ ὅμοιον αὐτοῖς ποιῆσαι. **17.** εἰ δὲ παρ' ἄλλοις

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1 del. Sp. [παραθέσεως – 2 δικαίων] coni. Sp. | ἀμφοτέροις Ba. || 2 τῶν del. Ba. | δικαίων ⟨καὶ⟩ Ba. | add. Ba. || 5 tit. om. *A* || 6 μέλλοιμεν *B* | κινεῖν ἔλεον *B* || 6.7 τὸν δικαστὴν *AB*, correxi || 8 προπαρασκευῆς *B* | ἀνύσομεν] προπαρασκευάσομεν *B* || 9 μᾶλλον ⟨δὲ⟩ *B* || 9.10 παρωξυμμένων *B* || 10 ⟨προ⟩παρασκευάσομεν Sp. || 11 τοῦτον] τόνδε *B* | ⟨τῷ⟩ περὶ *B* | περὶ – 12 καὶ[1] (όμ.) om. *A* || 12 ἡμέρους . . . 13 ἀποτόμους *B* | χαίρειν om. *B* || 13 πολιτικὸν Ba. πολὺ *AB* πραῢ Fi. || 17 ἀνηλεῶν *B* || 18 ἄλλων Fi. ex cod. G. ἀλλήλων *AB* || 19 ἀνθρώπους ὄντας *B* || 24 παραθησόμεθα *B* | τῶν βωμῶν *B* || 25 ἀτυχήσαντας *B*

an inscription, by introduction of a law or decree, by gnosigraphia,[275] by comparison of justice as seen by each side, also by ethopoeia, vivid description, prosopopoeia, by exposition of the headings of what has been said.[276] And this is enough to say about recapitulation.

On Pity[277]

15. Whenever we are going to arouse pity (*eleos*), we shall prepare the judges ahead of time so this will be useful for us; for one ought not to enter on this topic suddenly, but after some preparation. We shall accomplish something more if the judges have been persuaded and wrought up to feel pity for the defendant. How then shall we prepare them? In the following way: we shall use a common topic about pity and humane feelings, and about the need to think humane thoughts and to take pleasure more in gentle feelings than in severe ones, saying that this is good public policy and useful and humane and characteristic of the manner of an educated person, and that those so disposed are praised more than those not so disposed, and that those feeling pity differ from those who do not to the extent that men differ from beasts. And further, we shall say that those so disposed will more easily receive it if they ever need humane feelings from others, and that since we are men, it is necessary to foresee the future. **16.** Now if speaking in Athens we shall use this common topic from judgment and actions of the past: "There is among you an altar of Pity. The common humanity of all seems among you to be a god; for this feeling you are respected by others. Do not then change this now." And we shall bring in examples of those taking refuge at this altar and not failing to receive their due, the children of Heracles, for example, and any others that are said to have done what they did. **17.** But if we are among others, we shall

[275] Cf. above, 10.10.
[276] Advice about reminders is illustrated by recapitulating it.
[277] Aristotle, *Rhetoric* 2.8, is the only other extended discussion of pity in Greek writing on rhetoric; shorter accounts in *Rhetoric for Alexander* 34; Cicero, *On Invention* 1.106–8; *Rhetoric for Herennius* 2.50; Quintilian 6.1.18–19; Anonymous Seguerianus §§233–34. Aulitzky, pp. 26–49, suggested Cicero's teacher, Apollonius of Alabanda, as a source for some accounts. On the topoi of pity, see Martin, pp. 164–65.

ἐσμέν, παράδειγμα τὸ τῶν Ἀθηναίων προοισόμεθα καὶ ἐπαινεσόμεθα τοὺς Ἀθηναίους, καὶ ἐὰν μὲν ὦσι φίλοι, ὡς περὶ φίλων διαλεξόμεθα,
308 εὰν δ' ἐχθροὶ τῶν Ἀθηναίων τινές, προ | θεραπεύσομεν τὸν λόγον, ὡς ὁ Αἰσχίνης· μέλλων γὰρ λέγειν πεπραγμένον τι τοῖς Λακεδαιμονίοις, προθεραπεύει τοῦτο καλὸν εἶναι λέγων μιμεῖσθαι καὶ τὰς ἀλλοτρίας καὶ τὰς οἰκείας ἀρετάς.

18. Οὐ μόνον δὲ τούτῳ τόπῳ πρὸς τὸν ἔλεον τοὺς δικαστὰς παρασκευάσομεν, ἀλλὰ καὶ ἀναμιμνῄσκοντες τῶν τοῖς φεύγουσι δι' αὐτοὺς πεπραγμένων, λόγου χάριν· "οὗτος μέντοι πένης ὢν οὐκ ὂν αὐτῷ φιλοτιμεῖσθαι πρὸς ὑμᾶς ἐκ χρημάτων, γέγονεν ὑμῖν καὶ ἐκ τῶν ὄντων τὰ δυνατὰ αὐτῷ χρήσιμος· αὐτόν γε μὴν ἔταξεν ἐπὶ τὰ τῇ πόλει συμφέροντα· καὶ γάρ τοι δημηγορῶν ὠφέλει τὸ κοινὸν νόμους εἰσφέρων ⟨καὶ⟩ ψηφίσματα· ὑπὲρ δὲ τῶν δικαίων [δεομένων] ἐπρέσβευσεν, ἐστρατήγησεν". ἔτι παρασκευάσομεν πρὸς τὸ ἐλεεῖσθαι τοὺς κρινομένους τὰ ὑπ' αὐτῶν πρὸς ἄλλους πεπραγμένα φιλανθρώπως διεξιόντες· "ἐνὸν αὐτῷ παρὰ τοῦ δεῖνος τιμωρίαν ἀδικηθέντι λαβεῖν, ἀφῆκεν"· ἐν μέντοι τῷ παρασκευαστικῷ πρὸς τὸν ἔλεον τόπῳ οἰκείῳ χρησόμεθα τῷ παρόντι πράγματι.

19. Μετὰ μέντοι τοὺς κοινοὺς τόπους τοὺς τὴν παρασκευὴν ἔχοντας πρὸς τὸν ἔλεον, ἀπὸ τοῦ παρὰ τὴν ἀξίαν καλουμένου τὸν ἔλεον κινήσομεν. παρὰ τὴν ἀξίαν δ' ἔστι τὸ ταῦτα πάσχειν τινὰ ἅπερ αὐτῷ
309 δοκεῖ | εἶναι ἧττον, οἷον τὸ πένεσθαι τοὺς ἐν πλούτῳ γεγονότας, τὸ φεύγειν δημαγωγούς, τὸ ἀτιμίᾳ περιπεπτωκέναι στρατηγούς· συνελόντι δ' εἰπεῖν ἡ ἀπὸ τῶν βελτιόνων ἐπὶ τὰ χείρω μεταβολὴ κατὰ τὸν τόπον θεωρεῖται τὸν παρὰ τὴν ἀξίαν καλούμενον, οἷον ὁ Δημο-

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1 εἴημεν *B* | ⟨τὸ⟩ παράδ. W. || 2 ὡς] καὶ *B* ὡς ⟨καὶ⟩ Sp. || 3 εἰ *A* || 4 μέλλον *B*ᵃ || 5 προθεραπεύσει *B* || 6 οἰκείας] ξένας *B* ξενικὰς Ba. ex Aeschin. || 7 τόπῳ Sp. τρόπῳ *AB* | τὸν om. *B* | τὸν δικαστὴν *AB* correxi | 8 παρασκευάσομεν ⟨αὐτοῖς⟩ *A* | ἀναμιμνῄσκοντες ⟨αὐτοὺς⟩ *B* || 9 αὐτοὺς] αὐτῶν *A* | ὢν] ὂν *B* || 10 ἐκ] καὶ *B* || 11 αὐτόν *B* || 12 δημηγορῶν] δῆμον ὁρῶν *B* | ⟨καὶ⟩ νόμους *B* || 13 add. Ba. | τῶν om. *A* τῶν ⟨τῆς πόλεως⟩ coni. Ba. | δικαίων om. *B* | del. Ba. || 14 προπαρασκάσομεν *B* || 15 φιλανθρώπως εἰς ἄλλους πεπραγμένα *B* || 16 ἐξὸν *B* | τιμωρίαν ante παρὰ *B* || 17 ἀφεῖκεν *B* | τόπῳ Ba. ("τόπος οἰκεῖος opponitur τῷ κοινῷ") τούτῳ *AB* || 21.22 αὐτῶν . . . ἥττονα Schneidewin αὐτοῦ . . . ἧττον ⟨ἄξια⟩ coni. Sp. || 22 εἶναι] πρέπειν Ba. | ⟨ἀδόκητον⟩ ἧττον Ha. (76) || 23 δημαγωγόν *B* || 25 τύπον *A*, corr. Fi. τρόπον *B* | ὁ *AB*, corr. Ba.

bring up the example of the Athenians and praise the Athenians, and if these people are their friends, we shall talk about them as friends, and if any are enemies of the Athenians, we shall prepare them ahead of time for what we are going to say, as did Aeschines; for when he was going to speak about something done by the Lacedaimonians, he anticipated objections by saying that it was a fine thing to imitate both foreign and domestic virtues.[278]

18. We shall prepare the judges ahead of time not only by this topic but also by reminding them of what has been done for them by the defendants; for example, "Although this man is poor and cannot be honored in your eyes for his money, he has been useful to you to the extent of what is possible for him to do; at least he did his part in things advantageous for the city; for you know that he aided the commonwealth by speaking in the assembly when he proposed laws and decrees, and beyond what was required he served on embassies and as a soldier." Furthermore, we shall prepare (the judges) in advance so those on trial are pitied by recounting things done by them for others in a humane way: "When he had been injured and could have gotten retribution from so-and-so, he let the matter go." Of course, in the preparatory topic for pity we shall use the particular subject under discussion.

19. After the common topics preparatory for pity we shall certainly arouse pity by what is called (the topic of) "contrary to deserts."[279] "Contrary to deserts" is someone's suffering things which seem to him a degredation; for example, for those born in wealth to be poor, for political leaders to go into exile, for generals to have fallen into dishonor;[280] in a word, the change from better to worse is seen in terms of what is called "contrary to deserts"; for example, something like what Demosthenes writes to the Athenians on

[278] Aeschines 1.180.

[279] *Para tēn axian.*

[280] At this point, manuscript B inserts a long passage on inventional topics—irrelevant to the context—from the *Art of Rhetoric* by Cassius Longinus (Walz IX pp. 552, 2–579, 8).

σθένης ἐπιστέλλει πως τοῖς Ἀθηναίοις περὶ τῆς καθόδου τῆς ἑαυτοῦ· οἶμαι μὲν ὅτι καὶ αὐτὸς κινεῖ τὸν ἔλεον ἐκ τοῦ παρὰ τὴν ἀξίαν θεωρεῖσθαι· εἰ δὲ καὶ παραλέλειπτο τοῦτο αὐτῷ, ὑπῆρχεν ἂν κινῆσαι τὸν ἔλεον αὐτῷ τόνδε τὸν τρόπον· "ἀλλὰ νῦν ὁ πρότερον διοικῶν τὰ ὑμέτερα πράγματα καὶ λαμπρὸς καὶ περίβλεπτος ὢν καὶ ὑπὸ τῶν πάντων ζηλούμενος οὐ μόνον ταῦτα ἀφῄρημαι, ἀλλὰ καὶ τῆς πατρίδος ἐξελήλαμαι καὶ ἱκέτης ἄλλων γίνομαι ὁ τέως ἄλλους εὐεργετῶν".

20. Ἔτι κινήσομεν ἔλεον καὶ ἀπὸ τοῦ καλουμένου παρὰ τὴν ἐλπίδα, οἷον· "ἤλπιζον δημαγωγῶν καὶ τὰ ὑμέτερα πράττων καὶ τολμήσας διὰ τὰ ὑμῖν συμφέροντα προσκροῦσαι τοῖς πλουσίοις ἀποκείσεσθαί μοι παρ' ὑμῖν ἀντὶ τούτου τὴν χάριν, εἰ δὲ μὴ μᾶλλον εὐδοκιμήσειν τῶν πλουσίων, ἀλλ' οὖν ἀπολαύσειν αὐτοῖς τῆς τιμῆς τῆς ἴσης· νυνὶ δὲ τούτων ἁπάντων ἐσφάλην· ᾔτησέ με παρ' ὑμῶν [ὁ]
310 πλούσιος δωρεάν, ὑμεῖς ἔδοτε, τὸ ψήφισμα | περὶ τούτου ἐκυρώσατε". δύναται δέ τις τὸν τόπον τοῦτον κινεῖν πολλαχῶς· "ἤλπισα γηροβοσκὸν παῖδα ἔσεσθαί μοι· ὁ δ' οὐ μόνον οὐδὲν τούτων ποιεῖ, ἀλλὰ καὶ συκοφαντεῖ καὶ παρανοεῖν φησὶ καὶ δῆσαι βούλεται". καὶ στρατηγὸς κρινόμενος ἐπὶ νίκῃ γεγενημένῃ ἀπὸ τούτου τοῦ τόπου εἰς τὸν ἔλεον εὐπορήσει λημμάτων.

21. Ἔτι ἔλεον κινήσομεν ἀπὸ τῆς εὐδαιμονίας τῆς πρὸ τοῦ αὔξοντες αὐτήν, ὡς ἐπὶ Μιλτιάδου· "οὗτος μέντοι παρ' ὑμῖν εὐδοκιμῶν πρὸ τοῦ καὶ τιμῆς καὶ στρατηγίας ἠξιωμένος οὐκ ἐπὶ τῆς αὐτῆς τούτοις χώρας μένει, ἀλλ' (ὁρᾶτε γὰρ τὴν μεταβολὴν αὐτοῦ τῆς τύχης) κρίνεται μὲν ὡς ἀδικῶν τὴν πόλιν, κεκόμισται δὲ νοσῶν εἰς τὸ δικαστήριον, ἔχει δὲ τὴν ἐλπίδα τῆς ἀφέσεως οὐκ ἐν τοῖς ἑαυτοῦ λόγοις, ἀλλ' οἷς ἄλλοι μέλλουσιν ὑπὲρ αὐτοῦ λέγειν". καὶ ὡς ἐπὶ τῶν Ἀθηναίων, λόγου χάριν, εἴ τινες ἠξίουν τοὺς Λακεδαιμονίους καταλῦσαι

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1 πῶς ἐπιστέλλει *B* || 2 μὲν ⟨οὖν⟩ *B* || 2.3 θεωρεῖσθαι] θεωρήματος Ba. || 3 παραλέλειπται *AB* (-ληπτ- *B*), corr. Ba. || 5 τῶν om. *B* || 6 τούτων *AB*, corr. Ba. || 8 κίνησον *B* || 9 δημαγωγὸς *B* || 10 προσκρούειν *B* || 10.11 ἀποκεῖσθαί *AB*, corr. Ba. || 11 τούτων *B* | δὲ] καὶ *B* || 12 ἀπολαύειν *A* || 13 νῦν *B* | del. Ba. || 14 ⟨ἀνελεῖν⟩ δωρεάν *B* | ὑμεῖς ⟨δὲ⟩ Ald. | τὸ om. *B* | ψήφισμα post τούτου *B* | ⟨τὸ⟩ περὶ Ba. | τούτων Ha. || 16 μοι ⟨χειραγωγόν, τῶν ἄλλων ἕκαστον⟩ *B* | οὐδὲν τούτων] τοῦτο οὐ *B* || 17 παρανομεῖν *B* || 18 ⟨ἐκινήθη⟩ ἐπὶ *B* | γενομένῃ *B* || 20 ἔλεον] μᾶλλον *A* | κίνησον *B* || 20.21 αὔξων W. αὔξοντος Ald. || 21 οὗτος] οὐ *B* | παρ' – 22 τοῦ] πρὸ τοῦ εὐδαιμονήσας παρ' ὑμῖν *B* || 25 ἑαυτοῦ] αὐτοῦ *B* || 26 ⟨ἐν⟩ οἷς *B*

the subject of his return. I think that he himself excites pity from being seen (to suffer) "contrary to his deserts," but even if he had omitted this, he would have awakened pity by the following turn of words: "But now I, who earlier administered your affairs and was famous and admired and envied by all, not only have been deprived of these advantages but have been driven from my country and become a suppliant to others, when until now I was a benefactor to others." [281]

20. Furthermore, we shall move pity too from what is called (the topic of) "contrary to hope";[282] for example, "When leading the city and administering your affairs and daring to come into conflict with the rich for the sake of what was in your best interests, I hoped that thanks would be given me by you for this, and if I did not hope to be more famous than the rich, I did expect to enjoy equal honor with them. But now I have been foiled in all this; a rich man appeared before you and demanded a gift from me, you granted it, you ratified the decree about it." One can invoke this topic in many ways: "I hoped that my son would care for me in my old age, but he not only does nothing of the sort but even informs on me and says I am deranged and wants to constrain me." And a general who is brought to trial when he has won a victory will have an abundance of premises from this topic.

21. Furthermore, we shall arouse pity by amplifying a person's previous good fortune, as in the case of Miltiades: "Although certainly respected among you in the past and thought worthy of honor and appointment as general, he has not continued in the same place of honor, but—you see the change in his fortune—he is brought to trial for harming the city and, sick as he is, is brought to the court, and his hope of acquittal lies not with his own speeches but with what others are going to say about him."[283] And on the Athenians, for example, if someone thought the Lacedaimonians should

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[281] Perhaps a paraphrase from memory of Demosthenes, *Epistle* 2.13, or of some other letter, genuine or spurious, extant in Apsines time.

[282] *Para tēn elpida.*

[283] For the trial of Miltiades, cf. above 10.5 and 7. According to Herodotus 6.136, Miltiades lay on a couch during the trial while others spoke in his defense. The court refused to condemn him to death but he died soon after from gangrene in an injured thigh.

τὴν ἀρχὴν τὴν τῶν τριάκοντα· τὴν γὰρ εὐδαιμονίαν τὴν οὖσαν τῇ πόλει πρὸ τοῦ ἐπιὼν τις καὶ αὔξων καὶ τὰ παρόντα δεινὰ νῦν αὐτοῖς καταριθμούμενος καὶ ἀξιῶν τυχεῖν ἐλέου αὐτοὺς νῦν δείξει δικαίως κεκινηκέναι τὸν τόπον, ὅτι "καὶ αὐτῶν τῶν Λακεδαιμονίων οἱ Ἀθηναῖοι μείζονες ὄντες οὐκέτι μὲν ἀμφισβητοῦσι τῶν πρωτείων τῆς
311 Ἑλλάδος, κεῖνται δ' | ἐπ' ἄλλοις κριθησόμενοι ἐν τῇ τῶν ἠδικημένων φιλανθρωπίᾳ". ⟨***⟩ καὶ ὁμηρεύοντες ὡς Ἀλέξανδρον ἀπάγονται· "ἡμεῖς δέ" φησιν "ἡ κοινὴ τῆς Ἑλλάδος καταφυγή, πρὸς ἣν ἐβάδιζον αἱ πανταχόθεν πρεσβεῖαι, νῦν κινδυνεύομεν περὶ τοῦ ἐδάφους τῆς πατρίδος". **22.** κέχρηται τούτῳ τῷ τόπῳ καὶ Εὐριπίδης. λέγει γοῦν καὶ ἡ Ἑκάβη παρ' αὐτῷ·

ἤμην τύραννος κεἰς τύραννʼ ἐγημάμην,
κἀνταῦθ' ἀριστεύοντ' ἐγεινάμην τέκνα,
οὐκ ἀριθμὸν ἄλλως, ἀλλ' ὑπερτάτους Φρυγῶν.
οὐ Τρῳὰς οὐδ' Ἑλληνὶς οὐδὲ βάρβαρος
γυνὴ τεκοῦσα κομπάσειεν ἄν ποτε.

τὴν εὐπαιδίαν καὶ τὸ γήμασθαι τυράννῳ καὶ τὸ ἐκ τυράννων γεγενῆσθαι ἀντιπαρατίθησι καὶ τὰ παρόντα δεινά. φησὶν οὖν εὐθύς·

καὶ ταῦτ' ἐπεῖδον δορὶ πεσόνθ' Ἑλληνικῷ,
καὶ τὸν φυτουργὸν Πρίαμον οὐκ ἄλλων πάρα
ἤκουον, ἀλλὰ τοῖσδ' ἐπεῖδον ὄμμασιν
αὐτὴ κατασφαγέντ' ἐφ' ἑρκείου Διός,
αὐτὴ δὲ δούλη ναῦς ἐπ' Ἀργείων ἔβην.

312 | ἡ ἀντιπαράθεσις τοῖς ἀγαθοῖς τῶν κακῶν τὸν ἔλεον κεκίνηκεν. ἐλεεινοὶ μὲν γάρ εἰσι καὶ οἱ ὁπωσοῦν δυστυχοῦντες, ἐλεεινότεροι δὲ εἶναι δοκοῦσιν οἱ ἐκ λαμπρᾶς εὐδαιμονίας συμφοραῖς μεγάλαις χρώμενοι.

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1 τὴν ante τῶν del. Ba. || 2 ἐπεξιών *B* | δεινὰ] δὲ *A* | [νῦν] coni. Ha. || 3 ἐλέου τυχεῖν *B* | δείξει *A* et W. δεῖξαι *B* δόξει Ba. || 4 κεκινηκέναι] καὶ κινήσει κατὰ *B* | τόπον ⟨τοῦτον⟩ *B* | ὅτι – 5 πρωτείων om. *B* || 5 ⟨ὑπὲρ αὐτῶν ἔλεον⟩ τῆς *B* || 6 ἐν] οἷον *B* || 7 lac. indicavit Ba. coll. Aeschin. 3.133 | ἀλέξανδρος *B* || 8 φησιν om. *B* || 9 ὑπὲρ *B* || 10 πατρίδος] χώρας *A* | τόπῳ *A* τρόπῳ *B* | ⟨ὁ⟩ εὐριπίδης *B* || 12 ἤμην] καὶ μὴν *B* ἦμεν τύραννοι Eur. | καὶ εἰς τυράννου *A* (τυραννίδα *B*), corr. W. || 13 καὶ ἐνταῦθα *A* | ἐγεινόμην Eur. (codd. PQ) || 14 ἀριθμῷ *A* || 16 κομπάσει *A* || 17 ⟨εἰς⟩ τυράννου coni. Sp. || 17.18 γεγενῆσθαι *A*, corr. Ba. om. *B* || 18 ἀντιπαρατιθεῖσα Ba. | ⟨δ'⟩ οὖν *B* γοῦν Ha. || 19 καὶ – ἐπεῖδον] κἀκεῖνά τ' εἶδον Eur. | ἴδον *B* | δουρὶ *A* || 20.21 παρήκουον *A* | πάρα – ἐπεῖδον] πάρα κλύουσ' ἔκλαυσα δ' εἶδον Eur. || 22 ἐφερκίου διός *A* corr. Sp. ἐφ' ἑρκίῳ πυρᾷ *B* et Eur. || 23 ναυσὶν *A* || 24 τοῖς ἀγαθοῖς post κακῶν *B* || 25.26 δοκοῦσι εἶναι *B* || 26 λαμπρᾶς] μακρᾶς *B* | μεγάλαις συμφοραῖς *B*

end the rule of the Thirty;[284] for taking up the previous good fortune of the city and amplifying it and enumerating their present suffering and claiming that they deserved to be pitied now, he will show that he has rightly invoked the topic, (saying) that "The Athenians are no longer contending for first place in Greece as being greater than the Lacedaimonians, and they lie down to be judged before others (trusting) in the humane feeling of those who have been wronged." And as the hostages[285] are led off to Alexander they say, "We who were the common refuge of Greece, to which ambassadors used to come from everywhere, are now in danger on behalf of the foundation of our country." **22.** Euripides also used this topic; for in one of his plays Hecuba says:

> I sat upon a king's throne and was married to a king,
> And there I bore heroic children,
> The number doesn't matter, but they were the noblest of the Phrygians.
> Not Trojan, not Greek, nor barbarian
> Woman would ever have boasted of such children.

She sets the excellence of her sons and having been married to a king and having descended from kings in comparison with her present troubles. Then, immediately, she says:

> And I saw all these fall victim to the Greek spear,
> And I heard Priam, their engenderer, (cry out), not from others
> But with these very eyes I saw
> Him slaughtered at the foot of Zeus the threshold god,
> And as a slave I boarded the ships of the Argive.[286]

Her comparison of sufferings with good things arouses pity; for whoever is unfortunate is pitiable, but they seem more pitiable who experience great misfortunes after brilliant happiness.

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[284] Cf. above, 2.4.
[285] Something may be lost at the beginning of this sentence.
[286] *Trojan Women* 474–84, but with many departures from the received text, and the last line is from *Andromache* 401.

23. Ἐπειδὰν δέ τινας τὸν περὶ αὐτῶν κινοῦντες ἔλεον ἀτυχοῦντας ἐπιδεῖξαι θέλωμεν, πάσχοντας αὐτοὺς κακῶς ἀποδείξομεν ἀπὸ τριῶν τόπων· καὶ κατὰ ψυχὴν καὶ κατὰ σῶμα καὶ κατὰ τὰ ἐκτὸς καλούμενα. καὶ κατὰ μὲν ψυχὴν οὕτως, λύπην [περὶ αὐτὸν] λέγοντες ἢ παράνοιαν ἤ τι τῶν τούτοις ἐοικότων. **24.** ἔστι δὲ καὶ ὁ ἔρως τῶν τῆς ψυχῆς παθῶν· ἔλεον οὖν κινήσει τις καὶ περὶ τοῦ ἔρωτος διεξελθών· εἰ βιασάμενός τις ἧς ἤρα, ἐπὶ ταύτῃ κινδυνεύοι. **25.** τὰ δὲ κατὰ σῶμα οὕτω θεασόμεθα, εἰ τέτρωται, εἰ πληγὰς ἢ μάστιγας ἀνεδέξατο περὶ τὸ σῶμα, εἰ δεσμοῖς κέχρηται ἤ τινι τοιαύτῃ ταλαιπωρίᾳ. ἐπειδὰν δὲ τῶν τοιούτων ὁτιοῦν προφερόμενος ἐθέλῃς τὸν ἔλεον ἐξεργάσασθαι, οὐχ ἁπλῶς δεῖ τὸ στοιχεῖον τοῦ ἐλέου λέγειν, ἀλλ' ἐπεξιέναι σαφῶς καὶ τὰ παρακολουθοῦντα αὐτῷ, οἷον ἢ λύπη ἢ ἔρως ἢ μανία· τούτων γὰρ ἕκαστον πρᾶγμά ἐστι, καὶ κινεῖ μὲν ἔλεον καὶ ἁπλῶς λεχθέν,
313 μᾶλλον δὲ κινήσει ὅταν τὰ παρακολουθοῦντα τῷ ἔρωτι ἐπεκδι | δάσκωμεν ἢ τῇ μανίᾳ ἢ τῇ λύπῃ ἢ ὁτῳδήποτε τῶν τῆς ψυχῆς παθῶν, οἷον· "ἐν τίσι γάρ ἐστιν οὗτος, οὐκ οἶδεν· οὐ γυναῖκα γνωρίζει, οὐ παῖδας τοὺς ἑαυτοῦ· ἀγνοεῖ νόμους· τὸ δίκαιον οὐκ ἐπίσταται· οὐ συνίησιν ἡμέρας, οὐχ ἡλίου φῶς· φεύγει τὰ τοῖς ἄλλοις ἥδιστα δοκοῦντα εἶναι, ποθεῖ δὲ ἃ φεύγουσιν ἄλλοι, ἐρημίᾳ χαίρει καὶ ἐπεμβαίνει πυρὶ καὶ τὸν μετὰ θηρίων μᾶλλον ἀσπάζεται βίον". ἔλαβον τὰ παρακολουθοῦντα τῇ μανίᾳ ἁρμοζόντων ἁπάντων αὐτῶν εἰς τὸν ἔλεον.

26. Ὁμοίως καὶ ἐπὶ τοῦ λυπουμένου καὶ ἐπὶ τοῦ ἐρῶντος ἐν μέρει ἐκ τῶν παρακολουθούντων καὶ ἔρωτι καὶ λύπῃ λαμβάνοιντ' ἂν [καὶ] οἱ περὶ τούτων ἑκάστου λόγοι, ἅμα τε αὐξήσουσι τὸ στοιχεῖον τοῦ ἐλέου καὶ τοὺς δικαστὰς ἐπισπάσονται πρὸς τὸ οἶκτον αὐτοῦ. τὸν αὐτὸν τρόπον καὶ ὅταν ἀπὸ τῶν τοῦ σώματος παθῶν κινήσωμεν τὸν

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1 δέ] γε *B* | περὶ] γε *B* | κινοῦντας *A* || 3.4 καλούμενα καὶ om. *B* || 4 μὲν om. *A* | del. Sp. αὐτῶν *B* αὐτοὺς Sp. | ⟨ἰσχυρὸν εἶναι⟩ λέγοντες *B* || 6 οὖν om. *B* || 6.7 διεξελθὼν εἰ] διεξιὼν ὅταν ἢ *B* || 7 κινδυνεύῃ *B* || 8 θεασώμεθα ⟨εἰ πέπληκται⟩ *B* | ἀνεδέξατο ἢ μάστιγας *B* | περὶ – 9 σῶμα del. Ha. (76) || 9 εἰ] ἢ *B* | τινι] τῇ *B* | ταλαιπωρίᾳ ⟨περιέπεσεν⟩ *B* || 10 ἐθέλοι *B*, corr. Ba. term. evanuit in *A* ἐθέλῃ Ha. | ἐργάσασθαι *B* || 12 αὐτοῖς *A* | ἡ λύπη *AB*, corr. Ba. εἰ Sp. | ἡ ἔρως *B* | ἡ μανία *B* | τούτου *B* || 13 πρᾶγμά] πάθος Ba. fort. recte | ληφθέν *B* || 14 ⟨τὰ παρακολουθοῦντα⟩ κινήσει *B* || 16 ⟨αὐτὸν⟩ οὐκ *B* || 17 ἀγνοεῖ *A* οὐ *B* | ⟨οὐ⟩ τὸ *B* | οὐκ om. *B* || 18 φῶς om. *A* || 19 ⟨οἱ⟩ ἄλλοι *B* || 20 ἐλάβομεν *B* || 22 ἐπὶ τοῦ[2] om. *B* || 23 ἐκ – λύπῃ] τὰ παρακολουθοῦντα καὶ ταῖς ἐρωτικαῖς λύπαις *B* | λύπαι *A*, corr. Ba. λύπαις Sp. ex *B* | del. Ba. || 25 τὸν οἶκτον Fi. τὸ οἰκεῖον *AB* || 26 κινῶμεν *B*

23. Whenever we want to show that some persons are unfortunate and arouse pity for them, we shall demonstrate their grievous suffering by use of three topics: in mind (*psychē*), in body, and in what is called "externals."[287] In mind, by speaking of their grief or mental disturbance or things like that. **24.** Love, too, is one of the emotions of the mind; thus one will arouse pity also by describing love, if (for example) someone who has been forcibly deprived of a woman he loved were in a dangerous state because of her. **25.** We shall see (sufferings) in body if a person has been wounded, if he has received blows or lashings on his body, if he has experienced bonds or some such hardships. But whenever you want pity to be created by bringing forward any such things, you should not simply mention the element of pity but should describe clearly also what has resulted from it—for example, pain or love or madness—; for each of these is a fact, and it arouses pity even when simply mentioned, but it will arouse it more whenever we explain what results from the love or the madness or the pain or any of the sufferings of the mind; for example, "This man does not realize in what dreadful a condition he is: he does not recognize his wife nor his sons; he is unaware of laws; as for justice, he does not understand it; he does not perceive the passage of days nor the light of the sun; he avoids what seem to others the pleasantest things, he longs for what others avoid; he delights in solitude and treads on fire and prefers life with beasts." (Here) I have seized the results of madness since all fit in with the pity.

26. Similarly also in the case of one in pain or in love, remarks about each of these would be taken partly from the results of love and pain, and at the same time they will amplify the element of pity and will draw the judges to compasion for him. In the same way, whenever we arouse pity from sufferings of the body, we shall seize on the results of blinding or

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[287] A Peripatetic doctrine, according to Cicero, *Tusculans* 5.85.

ἔλεον, ἀπὸ πηρώσεως ἢ δεσμῶν ἢ τραύματος καὶ τὰ τούτοις παρακολουθοῦντα ληψόμεθα. τίνα τοίνυν τῇ πηρώσει παρακολουθεῖ; σκότος πολὺ καὶ τὸ μηδενὶ χαίρειν τῶν αὐτῶν τοῖς ἄλλοις δύνασθαι, καὶ τῶν ἄλλων ἕκαστα.

27. Τὰ δ' ἐκτὸς καλούμενα θεωρεῖται ἐν σπάνει τροφῆς ἢ χρημάτων· καὶ ἀπὸ τούτων οὖν ἔλεον κινήσομεν λόγου χάριν· "καὶ ὁ τέως σὺν πᾶσι τρυφῶν καὶ ἑτέρους εὖ ποιῶν ἐνδεής ἐστι καὶ τοῦ πιεῖν
314 καὶ τοῦ φαγεῖν, παρ' ἄλλων | τροφὰς ἐρανίζεται". ὁπόταν μέντοι λαμβάνωμεν τὰ παρακολουθοῦντα τοῖς ἐκτὸς καὶ τοῖς κατὰ σῶμα καὶ τοῖς κατὰ ψυχήν, παραπεφυλαγμένως τοῦτο ποιήσομεν· οὐ γὰρ ταῦτα πάντα ἐροῦμεν κινεῖν τὸν ἔλεον πειρώμενοι τὰ λεχθέντα (ἔλεον οὐχ ὁμοίως κινεῖ οἷον ζημία εἰς χρήματα καὶ ἀφαίρεσις οἰκέτου καὶ τούτων ἕκαστον, μᾶλλον δὲ δουλεία, αἰχμαλωσία, θάνατος παιδὸς ἢ γυναικός), τὰ δ' ἐξέχειν δοκοῦντα τῶν κακῶν καὶ ἐφ' οἷς λεχθεῖσιν παρακολουθεῖ τὸ δακρύειν, ταῦτα προοισόμεθα καὶ τὰ παρακολουθοῦντα αὐτοῖς ἐπελευσόμεθα, τίνα παιδοτροφίᾳ παρηκολούθησεν· "ἐν τίσι νῦν ἐστιν; γυνὴ ἐν χηρείᾳ, ⟨παῖδες ὀρφανοί⟩".

28. Κινεῖ δ' ἔλεον καὶ τὰ ἀπρεπῆ καὶ τὰ αἰσχρά, καὶ οἷς ἂν ὄνειδος προσῇ περί τινων λεγόμενα, ἐπειδὴ νῦν αὐτῶν κίνδυνός ἐστι παθεῖν, ὡς Ὅμηρος περὶ τῆς Ἀνδρομάχης·

καί κεν ἐν Ἄργει ἐοῦσα πρὸς ἄλλης ἱστὸν ὑφαίνοις.

καὶ τὰ ἑξῆς ἅπαντα ὑπὸ τοῦ Ἕκτορος εἰρημένα τὸν ἔλεον τὸν τῆς Ἀν-
315 δρομάχης κινεῖ. ἀλλὰ καὶ ἡ Ἀνδρο | μάχη τὰ παρακολουθοῦντα τῇ ὀρφανίᾳ λέγουσα περὶ τοῦ παιδὸς τοῦ ἑαυτῆς καὶ αὐτὴ τὸν ἔλεον κινεῖ·

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1 ἀπὸ om. *A* | ⟨ἀπὸ⟩ τραύματος *A* | τραυμάτων *B* | τὰ ⟨ἀπὸ σώματος⟩ *B* || 2 τῇ om. *B* || 3 μηδὲν *B* μηδ' ⟨ἐπι⟩χαίρειν Ha. (76) | τῶν αὐτῶν] τοῖς αὐτοῖς *A* || 6 ὁ τέως] ὅτε ὡς *B* || 7 εὖ ποιῶν] ἑστιῶν Ba. || 8 ἐρανίζεται τροφάς *B* | ὅταν *B* || 9 παρακολουθοῦντες *A* (τὰ omisso) || 10 πεφυλαγμένως *B* | ταῦτα om. *B* || 11 τὸν om. *B* | οὐχ Ba. οὖν *AB* ⟨γὰρ⟩ οὐχ coni. Ba. || 12 κινεῖν *B* | οἷον om. *B* | ἀφαίρεσιν *B*ᵃ || 13 μᾶλλον δὲ Ba. ἀλλὰ *AB* | δουλεία – 14 γυναικός post 15 δακρύειν Sp. | δουλείαν αἰχμαλωσίαν θάνατον ⟨ἢ⟩ *B* | θάνατος ⟨ἢ⟩ Ba. || 14 ἐξέχειν] ἐξ ἐκείνων *B* || 15 ἐπακολουθεῖ *B* | προσοισόμεθα *A* || 16 τίνα] τὴν *B* | παιδοτροφίαν ⟨εἰ⟩ *B* || 17 ἐστι νῦν *B* | γυνὴ Ha. (76) ex Hermog. γάμων *AB*, quod del. Sp. γάμῳ Ba. ἐν γάμῳ Ald. | ἐν om. *A* del. Ba. | add. Ha. (76) || 18 δ' om. *B* || 19 νῦν] ἐπ' *B* | ἐστι Ba. καὶ *AB* || 20 ἐπὶ τῇ ἀνδρομάχῃ *B* || 21 οὖσα *B* | ἄλληις *AB*, corr. Ald. || 22 καὶ ⟨ὅλως⟩ *B* | ⟨τὰ⟩ ὑπὸ Fi. | Ἕκτορος] ἐκτὸς *B* || 24 λέγουσα post παιδὸς Sp.

bindings or a wound. What then are the results of blinding? Much darkness and inability to enjoy anything others do, and each of the results of the other things.

27. What are called "externals" are seen in lack of food or money. We shall then arouse pity from these things; for example, "He who until now fared sumptuously and splendidly entertained others is now lacking anything to drink and eat, he begs his food from others." Of course, whenever we take up the results of external misfortunes and those of body and those of mind, we shall do so guardedly; for we shall not describe all these things mentioned above when we are trying to arouse pity—loss of money and being deprived of a slave and each of those things does not arouse pity in the same degree as do slavery, captivity, the death of a son or a wife—but what we shall bring forward are things that seem to be outstanding examples of evil and what produce tears when they have been mentioned and we shall go on to what results from these. What (for example) resulted from (a dead man's) raising children? "Who are his companions now? His wife is in mourning, his children are orphans."[288]

28. And unseemly and shameful things arouse pity, especially when said about those to whom it adds disgrace at a time when they are in danger of suffering, as Homer on Andromache:

> And living in Argos you would weave at the loom of another.[289]

And all that is then said by Hector arouses pity for Andromache. But Andromache too arouses pity when she speaks about what will result for her son from being orphaned:

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[288] Cf. the *Progymnasmata* attributed to Hermogenes, p. 14,5 ed. Rabe.
[289] *Iliad* 6.456.

ἄλλον μὲν χλαίνης ἐρύων, ἄλλον δὲ χιτῶνος

καὶ

τῶν δ' ἐλεησάντων κοτύλην τις τυτθὸν ἐπέσχε

καὶ

χείλεα μέν τ' ἐδίηνε

καὶ

δακρυόεις δέ τ' ἄνεισι πάϊς ἐς μητέρα χήρην.

29. Ἐν πολιτικῷ δὲ ζητήματι ἀπὸ τῶν ἀπρεπῶν οὕτως ἔλεον κινήσομεν, οἷον· πλούσιος ἐχθροῦ πένητος παῖδα ἀριστεύσας πρὸς ἀναίρεσιν ᾔτησεν, ἔδωκεν ἡ πόλις, εὐθὺς αὐτὸν ὁ πατὴρ ἀναιρεῖσθαι βούλεται. ἐνταῦθα ἀπὸ τῶν αἰσχρῶν καὶ τῶν ἀπρεπῶν ἔλεον ὁ πένης κινήσει· "ἥξεις πρὸς τὸν πλούσιον, ὦ παιδί, καὶ οὗτος ἔσται σου κύριος, ἐξουσίαν ἀνελεῖν ἔχων· πῶς οὖν σοι χρήσεται νέῳ ὄντι καὶ ὥραν ἔχοντι; τὰ ὑπὸ τῶν νόμων ἀπειρημένα ποιήσει μετ' ἐξουσίας, ἃ καὶ τοὺς παθόντας οἱ νόμοι κωλύουσι δημηγορεῖν". εἶτα ⟨ἐκ⟩ τῶν αἰσχρῶν καὶ τῶν ἀπρεπῶν ἕκαστον ἔλεον κινήσει. **30.** ἀλλὰ καὶ ὁ Ἀγαμέμνων ἔλεον ἐκίνησεν ἐπὶ τοῦ Μενελάου τετρωμένου ἔκ τινος τῶν τοῖς Ἕλλησιν αἰσχύνην φερόντων·

316 | καί κέ τις ὧδ' ἐρέει Τρώων ὑπερηνορεόντων
τύμβῳ ἐπιθρώσκων Μενελάου κυδαλίμοιο,

καὶ τὰ ἑξῆς. δύναται τοίνυν τούτοις ὁμοίως ὁ πένης ἐπὶ τοῦ παιδὸς ἔλεον κινῆσαι· οὐ γὰρ μόνον ἅ τις πείσεται ὄντα αἰσχρὰ λέγειν δεῖ, ἀλλὰ καὶ τί περὶ αὐτῶν ἐροῦσιν ἕτεροί τινες· "τίνα τοίνυν ἐρεῖ ὑμῶν αὐτῶν ἕκαστος; οὐ ταῦτα δή, τὴν ὕβριν, τὴν αἰσχύνην τοῦ σώματος, τὰ ὄνειδος ἡμῖν ἀμφοτέροις φέροντα; ἐπὶ ταῦτα οὖν αὐτὸν δώσετε;".

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1 χιτ[ω] *B* ‖ 2 καὶ om. *B* ‖ 3 δ' om. *A* | τις κοτύλη *A* κοτύλειν τις Ald. ‖ 4 καὶ – 5 ἐδίηνε om. *B* ‖ 6 καὶ ⟨τὸ⟩ *B* ‖ 7 ἐς] πρὸς *A* ‖ 8.9 κινησ° *B* ‖ 9 ἀριστεὺς *B* ‖ 11 ἀπρεπῶν ⟨πάντων⟩ . . . αἰσχρῶν *B* ‖ 12 κινήσει ⟨οἷον⟩ *B* | πρὸς] παρὰ *A* | ὦ om. *B* | παιδίον *B* ‖ 13 χρῆσαι *B* ‖ 14 ποιήσει om. *B* | ἐξουσίαν Ald. ‖ 15 καὶ om. *B* | παθόντας] παρόντας *B* | κελεύουσι ⟨μὴ⟩ *B* | εἶτα Ha. (76) ἐπεὶ *B* ἐπὶ *A* | ⟨ἐκ⟩ τῶν Ha. (76) | τῶν om. *B* ‖ 16 ὁ om. *B* ‖ 17 τῷ μενελάῳ τετρωμένῳ *B* ‖ 18 αἰσχύνην τοῖς ἕλλησιν *B* ‖ 21 τοίνυν om. *B* ‖ 22 ἅ τις] ὁ παῖς *B* | ὄντα – δεῖ] ἃ καὶ αἰσχρόν ἐστιν ὄντα φησὶ λέγειν *B* | δεῖ] χρή Ba. ‖ 23 τί om. *B* | ἡμῶν *B* ‖ 24 ⟨τὴν⟩ τοῦ *B* ‖ 25 ὀνει[δ] *B*

> Plucking one by the cloak and another by the chiton

and

> And one of them touched by pity holds out a cup briefly

and

> He whets his lips[290]

and

> In tears the child goes back to his widowed mother.[291]

29. On a political question we shall arouse pity from what is unseemly in this way; for example: A rich man who had earned a prize for valor demanded the son of a poor enemy to do away with him; the city granted the request; the father wants him to be done away with immediately.[292] Here the poor man will arouse pity from what is shameful and unseemly: "You will go to the rich man, son, and he will be your master, having the authority to do away with you. How then will he use you, since you are young and have the bloom of youth? Using his authority (over you) he will do (to you) things forbidden by the laws. The laws prohibit those who have suffered these things from speaking in public."[293] Then each of the shameful and unseemly things (that the boy will be forced to do) will arouse pity. **30.** But even Agamemnon aroused pity for Menelaus when he had been wounded by citing some of the things that bring shame on Greeks:

> And someone of the haughty Trojans will speak thus,
> Leaping on the tomb of glorious Menelaus,[294]

and what follows. In the same way, then, the poor man can arouse pity for his son; for it is not only necessary to say the shameful things which someone will suffer, but also what some other people will say about them: "What, then, will each of you say? Will it not be this: the outrage, the shame of his body, things that bring reproach on both of us? Will you give him over to these things?"

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[290] *Iliad* 22.493–95.

[291] *Iliad* 22.499.

[292] On demand for a reward for valor as a theme of declamations, see Heath pp. 137–39.

[293] I.e., the father prefers the son to die immediately rather than to prostitute his body, which would debar him from participating in public life; cf. Aeschines, *Against Timarchus*.

[294] *Iliad* 4.176–77.

31. Τὰ μέντοι δεινὰ τὰ συμβεβηκότα τισὶν ἢ συμβησόμενα οὐ δεῖ κεφαλαιωδῶς ἐκτίθεσθαι· ἡ γὰρ ἀθρόα τούτων δήλωσις ἔκπληξιν μᾶλλον ἔχει τῶν ἀκουόντων αὐτὰ ἢ ἔλεον τῶν πεπονθότων. παράδειγμα τὸ Αἰσχίνου ἀθρόας δηλώσεως κακῶν τὸ περὶ τῶν Θηβαίων εἰρημένον· "Θῆβαι δὲ Θῆβαι, πόλις ἀστυγείτων μεθ' ἡμέραν ἐκ μέσης τῆς Ἑλλάδος ἀνήρπασται". ἀλλ' οὐχ ὁ Δείναρχος, ἀλλ' ἐπὶ τὸν αὐτὸν ἐλθὼν τόπον καὶ ἄλλα μὲν εἶπε δεινὰ δι' ὧν τὸν ἔλεον ἐκίνησε, καὶ μέντοι γε καὶ τὴν ἰσχυρὰν ἐρημίαν τῶν Θηβαίων παραστῆσαι βουλόμενος εἶπε· "περιπέτονται δὲ τὸ τῶν ταλαιπώρων Θηβαίων ἄστυ χελιδόνες." ὡς δὲ τὸ ἀθρόως λέγειν τάς τινων συμφορὰς ὀξὺ ἄκουσμα
317 ὂν ἀλλοτρίως ἔχει πρὸς τὸν ἔλεον, οὕτως ἐπακριβὲς [ἐπὶ] πάντα ἐπ | εξιέναι πειρᾶσθαι [καὶ] καταβάλλει τὸν ἔλεον. τὴν μέσην οὖν βαδίζειν δεῖ, ὡς Ὅμηρος·

ἄνδρας μὲν κτείνουσι, πόλιν δέ τε πῦρ ἀμαθύνει,
τέκνα δέ τ' ἄλλοι ἄγουσι βαθυζώνους τε γυναῖκας,

ἀπὸ τῶν ἐνεχομένων ἁλώσει πόλεως τὸν ἔλεον ἐκίνησεν ὧν ἐκινδύνευσεν ἡ πόλις παθεῖν· εἰ δὲ δὴ πάντα διεξῄει τὰ παρακολουθοῦντα πόλεως ἁλώσει, γελοῖος ἂν ἦν καὶ μικροπρεπής.

32. Κινεῖ δ' ἔλεον ἐν τοῖς μάλιστα καὶ ἐνάργεια ἡ τῶν ἀτυχούντων καὶ ἠθοποιΐα καὶ χαρακτηρισμὸς ὁ περὶ αὐτῶν γινόμενος, ὡς ὁ Δημοσθένης περὶ τοῦ Στράτωνος· "κάλει δὲ καὶ τὸν Στράτωνα αὐτὸν τὸν τὰ τοιαῦτα πεπονθότα· οὗτος τὰς ἐφ' ἡλικίας στρατείας ἐστρατευμένος ἕστηκε νυνὶ σιωπῶν, οὐδ' ὀδύρασθαι τὰς ἑαυτοῦ συμφορὰς ἐξουσίαν ἔχων." ἐχαρακτήρισε γὰρ αὐτὸν σιωπῶντα παραστήσας δικαστηρίῳ καὶ ἦθος περιέθηκεν αὐτῷ τὸ τοῦ σιωπῶντος καὶ δεδοικότος λέγειν. **33.** ἠθοποιΐαν δὲ τὴν διὰ λόγων τόνδε τὸν τρόπον ποιήσομεν, οἷον· "τίνα δ' ἔλεγε σφαττόμενός τις ἢ βιαζομένη παρθένος ἢ

1 δεινὸν *B* ‖ 3 ἔχει μᾶλλον *B* ‖ 3.4 παράδειγμα τὸ Sp. παραδείγματα *A* παράδειγμα τὸ τοῦ *B* ‖ 4 τῶν om. *B* | Θηβῶν Ba. ‖ 6 ὁ] οὕτω Ha. (76) ‖ 7 δεινὰ] τινα *B* | ἔλεον] μενέλαον *A* ‖ 8 Θηβῶν Ba. ‖ 9 ἄστυ θηβαίων *B* ‖ 11 οὕτω ⟨τὸ⟩ *B* | del. Ba. ‖ 12 del. Ba. | καταβαλεῖν *B* καταβαλεῖ W. | τὴν om. *B* ‖ 13 δεῖ ⟨γὰρ⟩ *B* ‖ 14 κτείνας *AB*, corr. W. ‖ 16 ὧν] ὡς *A* ‖ 18 ⟨καὶ⟩ γέλοιος *B* ‖ 19 δὲ ⟨μάλιστα⟩ *B* | ἐν – μάλιστα om. *B* | ⟨ἡ⟩ ἐνάργεια *B* ‖ 21 καὶ om. *B* ‖ 23 ⟨τὰ⟩ νῦν *B* ‖ 24 περιστήσας *B* ‖ 25 ⟨τῷ⟩ δικαστηρίῳ Ha. | τὸ τοῦ] τούτου *B* ‖ 27 ⟨ὁ⟩ σφαττόμενός *B* | τις] τίνα *B* | ἢ Sp. ἡ *AB* | βιαζόμενος *B*

31. However, it is not necessary to set out the dreadful things that have happened or will happen to people heading by heading; for a clear summary of these things has a more striking affect on those hearing them than on those experiencing pity. An example of a clear summary of evils is what Aeschines said about the Thebans: "But Thebes, Thebes, our neighbor city, has in one day been snatched from the midst of Greece."[295] This is not what Deinarchus did; instead, turning to the same topic he described other dreadful things by which he aroused pity and since, of course, he wanted to include the terrible desolation of the Thebans, he said, "Swallows fly around the city of the wretched Thebans."[296] Just as a summary statement of people's misfortunes, with a striking affect on the ear, has something different to contribute to pity, so trying to detail everything accurately undercuts pity. One should therefore follow a middle course, as did Homer:

> They kill men, and fire levels the city,
> And foreigners lead off the children and the deep-girdled women.[297]

From incidents in the capture of the city he aroused pity for what the city was in danger of suffering; but if he had described everything resulting from the capture of the city, it would have been ludicrous and hardly appropriate.

32. Among the things that most arouse pity are vivid description (*enargeia*) of the unfortunate and ethopoeia and characterization of them, as Demosthenes did about Straton: "But also call to the witness stand Straton himself, who suffered these things. He, who has fought military campaigns at the appointed age, now stands silent, not even having the power of lamenting his own misfortunes."[298] He characterizes him, setting him silent in the court room, and attributes to him the character of one silent and afraid to speak. **33.** We shall create ethopoeia by attributing words (to someone) in the following way; for example, "What did someone say when he was being

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[295] Aeschines 3.133.
[296] Dinarchus, frag. F. 3, in Burtt, *Minor Attic Orators* II pp. 324–25.
[297] *Iliad* 9.593–94.
[298] Adapted from Demosthenes 21.95.

ὁτιοῦν τις κινδυνεύων παθεῖν;". ὡς ἐπὶ ταύτης τῆς ὑποθέσεως· τοῖς φυγάσι συμφεύγειν τοὺς παῖδας, ἔφευγέ τις, συνέφευγεν αὐτῷ καὶ ἡ γυνὴ κύουσα, τὸ τεχθὲν παιδίον κατιὸν μετὰ τῆς μητρὸς ἀπέκτεινέ
318 τις καὶ φόνου κρίνεται. ἐνταῦθα ἔστι δι' | ἠθοποιΐας ἔλεον κινῆσαι περιθέντα λόγους τινὰς τῇ μητρὶ τοῦ παιδός, οὓς εἶπε παραιτουμένη τὴν ἀναίρεσιν αὐτοῦ.

34. Κινεῖ δ' ἔλεον καὶ τὸ τῆς ὁμοιοπαθείας στοιχεῖον, οἷον ὑπὲρ παιδός τις ἀγωνίζεται ἢ μητρὸς ἢ πατρός· οὗτος εἰ [καὶ] λέγοι τοὺς δικαστὰς ἐν τοῖς αὐτοῖς αὐτοὺς ⟨ἂν⟩ γενέσθαι πάθεσιν, ἔλεον κινήσει οἷς αὐτὸς ἐπεπόνθει ἐπιστήσας τοὺς ὄντας τῆς ψήφου κυρίους. κεκίνηκε τοῦτον τὸν τόπον καὶ Ὅμηρος ἐν Λύτροις· τὸ γὰρ

μνῆσαι πατρὸς σεῖο θεοῖς ἐπιείκελ' Ἀχιλλεῦ,

καὶ τὰ τούτοις ἑξῆς εἰς τὴν ὁμοιοπάθειαν αὐτὸν ἄγει. ἐπειδὰν μέντοι πρὸς τοὺς δικαστὰς τοιοῦτόν τι λέγωμεν, τὸ δοκεῖν τι κατ' αὐτῶν δυσφημεῖν φυλαξόμεθα. χρησόμεθα οὖν τῇ προδιορθώσει καλουμένῃ, οἷον· "τὰ μὲν οὖν ἐμοὶ συμβεβηκότα μηδενὶ συμβαίη παθεῖν ὑμῶν, ἀλλ' οὐδὲ συμβήσεται τῶν θεῶν ὑμῖν εὐμενῶν ὄντων· ὅσοις δ' ὑμῶν θυγατέρες εἰσὶ παρθένοι, νομισάτω τούτων ἕκαστος ἡρπάσθαι τὴν ἑαυτοῦ καὶ ὑπὸ τοσούτων τὴν βίαν πεπρᾶχθαι"· καὶ τὰ ἑξῆς εἰ λέγοι, ἔλεόν τινα κινήσει ἀπὸ τοῦ στοιχείου τοῦ προειρημένου.

35. Ἔτι κινήσομεν ἔλεον αὐτοὶ κατηγοροῦντες αὐτῶν. τοῦτο ἔστι μὲν εὑρεῖν καὶ παρὰ τοῖς τραγικοῖς ποιηταῖς, ἀμέλει παρὰ τῷ Εὐρι-
319 πίδῃ ἡ τοῦ Πενθέως μήτηρ | Ἀγαυὴ ἀπαλλαγεῖσα τῆς μανίας καὶ γνωρίσασα τὸν παῖδα τὸν ἑαυτῆς διεσπασμένον κατηγορεῖ μὲν αὐτῆς, ἔλεον δὲ κινεῖ. ἐν δικανικῇ δ' ὑποθέσει οὕτως· ἔστω πένης μὲν ὑπὸ πλουσίου ἐξῃτημένος, ἀξιῶν δ' ἤδη τεθνάναι· μέλλοντος τοῦ πλου-

1 κινδυνεύων τις *B* | ⟨νόμου ὄντος⟩ τοῖς Ba. coll. 160.1 || 3 κύουσα om. *B* | τεχθὲν om. *B* ἐνεχθὲν Sp. || 5 περιθέντας *AB*, corr. Ba. | παιδίου *B* || 7 παθείας A^c | στοιχεῖον ⟨καλούμενον⟩ *B* || 8 εἰ καὶ om. *B* | del. Ba. | λέγοι] εἵλετο *B* κελεύοι Fi. || 9 αὐτοῖς] αὐτοῦ *A* αὐτοῦ Sp. | αὐτοὺς Ba. αὐτῷ *B* om. *A* | add. Ba. || 10 αὐτοὶ ἐπονπόνθεσαν Sp. | τῆς] τοῦ *A* | κυρίους post ὄντας *B* || 11 ⟨καὶ⟩ τοῦτον *B* | καὶ om. *B* | λίταις *AB*, corr. Fi. || 14 τι² om. *B* || 15 δυσφημεῖν om. *A* || 16 ⟨δ'⟩ οὖν *B* | ὑμῶν om. *B* || 18 εἰσὶ θυγατέρες *B* || 19 τοσούτων ⟨πραγμάτων⟩ *B* | τὸν βίον τεταράχθαι Geel | ἑξῆς ⟨τούτοις⟩ *B* || 20 τινα om. *B* || 21 ἔτι om. *B* | κινη^σ ἔλεον ⟨καὶ ἀπὸ τοῦ κατηγορεῖν ἑαυτοῦ⟩ *B* | αὐτῶν *B* || 23 ἡ ante μήτηρ *B* || 24 τὸν ἑαυτῆς om. *B* | ἑαυτῆς *B* || 25 ἐν ⟨δὲ τῇ⟩ *B* | δ' om. *B* | ⟨ὁ⟩ πένης *B*

killed or a virgin when raped or someone in danger of suffering something?" As in the following hypothesis: (The law allows) children to accompany fathers into exile; a man went into exile; his pregnant wife went with him; someone killed the child that was born when he returned with his mother and the killer is brought to trial for murder. Here it is possible to arouse pity through ethopoeia by attributing to the mother of the boy the words which she said when beseeching that he not be killed.

34. The element of sympathy also arouses pity; for example, someone is contending for a child or a mother or father; if he should say that the judges might find themselves in the same pitiable situations, he will arouse pity for what he has suffered by inducing it in those who are responsible for the decision. Homer also used this topic in the ransoming scene:

> Remember your father, godlike Achilles.[299]

And what follows brings Achilles to feel sympathy with Priam. But of course whenever we say something of this sort to the judges, we shall guard against seeming to say something bad about them. Therefore, we shall use what is called "anticipatory correction" (*prodiorthōsis*); for example, "Let the suffering that has happened to me happen to none of you, nor will it happen if the gods are kind to you. But if you have maiden daughters, let each of you imagine his daughter to have been raped and to have been violently treated by such men as these." If he were to continue on with this he will arouse pity from the nature of what had been earlier said.

35. Furthermore, we shall arouse pity by denouncing ourselves. This can be found in the tragic poets; certainly in Euripides, Agave, mother of Pentheus, accuses herself when she recovers from her madness and recognizes the dismembered body of her child, and she arouses pity. **35.** Similarly in a judicial hypothesis: Let a poor man face the demand for his surrender by a rich man, and think it right to die now,[300] while the rich man is delaying

[299] *Iliad* 24.486.

[300] Probably the rich man has demanded the life of the poor man as a reward for valor in battle.

σίου καὶ διατρίβοντος· αὐτὸς ἑαυτοῦ κατηγορῶν τῆς προαιρέσεως καὶ τῆς ἀντιπολιτείας ἔλεον κινήσει. "τί γὰρ ἔδει μοι τῆς ἔχθρας τῆς πρὸς τὸν πλούσιον; τί δ' ἐμαυτὸν παρεξῆγον; διὰ τοὺς νόμους ἐρεῖ τις ἴσως καὶ τὴν δημοκρατίαν καὶ ὑμῶν αὐτῶν ἕκαστον· τί οὖν ὤνησέ με ταῦτα; οἱ νόμοι προδεδώκασιν, ἐγκαταλέλοιπεν ἡ δημοκρατία, ὑμεῖς αὐτοί μου καταψηφίσασθε". καὶ πάλιν· γήμας τις καὶ ἐκ τοῦ γάμου δίκας ἔχων καὶ πράγματα αὐτὸς ἑαυτοῦ κατηγορεῖ, καὶ παῖδας ποιησάμενος ἄλλος. καὶ συνελόντι εἰπεῖν πολλαχῶς ὁ τόπος οὗτος μεθοδεύεσθαι πέφυκε.

36. Κινεῖ δ' ἔλεον καὶ λόγος πρὸς τόπον τινὰ γινόμενος, οἷον πρὸς βῆμα, πρὸς δικαστήριον. παράδειγμα τούτου τὸ ⟨τοῦ⟩ Σοφοκλέους, πεποίηκε δ' Οἰδίποδα πρὸς τὸν Κιθαιρῶνα διαλεγόμενον·

ἰὼ Κιθαιρών, τί μ' ἐδέχου, τί μ' οὐ λαβὼν
ἔκτεινας;

| καὶ πάλιν Ἡρακλέα που διαλεγόμενον πεποίηκε πρὸς τοὺς βραχίονας
320 αὐτοῦ καὶ τὸ στέρνον· ξαινόμενος γὰρ ὑπὸ τοῦ φαρμάκου φησίν·

ὦ στέρν', ὦ φίλοι βραχίονες,
ὑμεῖς,

καὶ τὰ ἑξῆς. δύνανται δὲ καὶ οἱ πρὸς ὁτιοῦν λόγοι γινόμενοι κινεῖν ἔλεον κατὰ τὸ ὑποκείμενον· εἴ τις ἠριστευκὼς πολλάκις κρίνοιτο προδοσίας διὰ τὰ ἀπὸ τῶν πολεμίων εἰλημμένα· ὡς εἰ Δημοσθένης παρὰ τοῖς Ἀθηναίοις κρίνοιτο περὶ τῶν ἐν Αἰτωλίᾳ τὰ ἐξ Ἀμβρακίας ὅπλα κομίσας, ἄγοι δ' αἰχμάλωτα.

37. Κινεῖ δ' ἔλεον καὶ τὸ δέον γενέσθαι οὐ γεγενημένον, γενόμενον δὲ ὅπερ οὐκ ἔδει γενέσθαι, οἷον εἰ πατὴρ ὑπὲρ παιδὸς εἰσίοι δίκην

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1 αὐτὸς W. οὗτος *AB* | αὐτοῦ *A* || 2 πολιτείας *B* | μοι om. *B* || 3 δ'] δαὶ *B* | ἐπεξῆγον ⟨αὐτῷ⟩ *B* || 4 καὶ[2]] δι' *B* || 5 με] μετὰ *A* | προδεδώκασί ⟨με⟩ ἐγκαταλέλοιπέ ⟨με⟩ *B* || 6 μου Fi. με *A* om. *B* | καταψηφίσασθε *AB*, corr. Ba. ex cod. G || 7 αὐτοῦ *A* || 8 οὗτος ὁ τόπος *B* || 10 ⟨ὁ⟩ λόγος Ba. | γενόμενος *B* | πρὸς ⟨τὴν ἐκκλησίαν πρὸς⟩ *B* || 11 add. Ba. || 12 ⟨ὃς⟩ πεποίηκεν (δὲ omisso) *B* || 13 τῷ κιθαιρῶνι *AB*, corr. Fi. | μὲ λαβὼν οὐκ *A* || 14 ἔκτεινες *B* || 15 διαλεγόμενον om. *B* || 16 αὐτοῦ *A*, corr. Sp. ⟨τοὺς⟩ ἑαυτοῦ *B* | φάρμακος *B* || 17 ὦ[1] ⟨χεῖρες ὦ⟩ *B* || 18 ὑμεῖς ⟨ἐκεῖνοι δὴ⟩ *B* || 19 πρὸς ὁτιοῦν Ba. προσόντες *AB* || 20 τὸ om. *B* τοῦ Fi. | ὑποκειμένου *B* | ⟨οἷον⟩ εἴ Ba. || 21 διὰ τὰ] καὶ διαλέγοιτο πρὸς τὰ coni. Ba. || 22 τῶν – Ἀμβρακίας] ἐν Αἰταλίᾳ τὰ ἐξ Ἐμβρακίας Ald. || 23 κομίσας ⟨αὐτοῖς⟩ *B* | ἄγοι δ'] καὶ διαλέγοιτο πρὸς Ba. ἄστυδε Fi. || 24 γίνεσθαι *B* | γενόμενον] γεγενημένον *A*

and losing time. He will arouse pity by accusing his own moral choice and uncitizenlike acts. "For what need did I have of hatred toward this rich man? Why did I lead myself astray? Someone will probably say out of trust in the laws and the democracy and each of you. What benefit did these things have for me? The laws have betrayed me, the democracy has abandoned me, you yourselves have voted against me." And again: Someone who has married and become involved in lawsuits and troubles as a result of the marriage brings an indictment against himself, and another (accuses himself) for having begotten children.[301] And in a word, this topic has many opportunities for treatment.

36. A speech addressed to a place also arouses pity, to a rostrum or a court room, for instance. There is an example of this in Sophocles when he made Oedipus address Mount Cithaeron:

> O Cithaeron, why did you receive me, why once taking me did you not kill me. . . .?[302]

And again, he has made Heracles address his arms and heart; for, sickening from poison, he says,

> O . . . heart, O my dear arms, you. . . .,

and what follows.[303] Speeches addressed to anything at all can arouse pity on the basis of the subject: if someone who had often performed valiant deads were being judged for treason on the basis of things taken from the enemy, (he would arouse pity by addressing those objects). As if Demosthenes were being judged by the Athenians for actions in Aetolia after fetching arms from Ambracia, and (if) he brought booty.

37. It arouses pity when something that ought to have happened did not or something happened that ought not to have happened; for example, if a

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[301] These themes are examples of *prosangelia*, in which a speaker asks the state to supply him the means of suicide; cf. Russell, *Greek Declamation* pp. 35–36. For other examples, cf. Libanius, Declamation 23, and Sopatros in Walz VIII pp. 306–20. According to Valerius Maximus 2.6.8 this was an actual procedure in some Greek cities.

[302] Sophocles, *Oedipus Tyrannus* 1391.

[303] *Trachiniae* 1090ff.

ἀνῃρημένου, τὸ δέον γενέσθαι λέγων καὶ δεικνὺς αὐτὸ μὴ γεγενημένον, ἔλεον κινήσει, οἷον· "ὃν ἔδει περιόντα μου καὶ γηροκόμον εἶναι καὶ θεραπευτὴν καὶ ὃν εἰκὸς ἀποθανόντα με περιστεῖλαι καὶ τῶν νενομισμένων ἀξιῶσαι, οὗτος μὲν οἴχεται καὶ τέθνηκεν· ἐγὼ δ' αὐτὸν προὐθέμην καὶ τῶν νενομισμένων ἠξίωσα, τὸν νέον ὁ τηλικοῦτος, ὁ πατὴρ τὸν παῖδα".

38. Κινεῖ δ' ἔλεον καὶ λόγος τις γινόμενος πρὸς κτήματα τοῦ τεθ-
321 νεῶτος, ὡς ὁ Κτησίας πεποίηκε τὴν τοῦ | Κύρου μητέρα περὶ τῶν ἵππων αὐτοῦ καὶ τῶν κυνῶν καὶ τῶν ὅπλων διαλεγομένην, καὶ ἀπὸ τούτων οἶκτον κεκίνηκε. δύναται δὲ καὶ ἐν δίκῃ πατὴρ υἱοῦ τεθνεῶτος ἀπ' εἰκόνος ἔλεον αὐτοῦ κινεῖν, ⟨***⟩ χλαμύδος δι' ἀμβολάς. καὶ ἡ Ἠλέκτρα ἐν τῷ Ὀρέστῃ θεασαμένη τὴν ὑδρίαν ἐν ᾗ πλαστῶς κεκομισμένα τὰ ὀστᾶ αὐτοῦ, διαλέγεται μὲν πρὸς αὐτήν, κινεῖ δ' ἔλεον· φησὶ γοῦν·

ὦ φιλτάτου μνημεῖον ἀνθρώπων ἐμοὶ
ψυχῆς Ὀρέστου λοιπόν.

ἔπειτα τούτοις συνάπτει τὸν παρ' ἐλπίδας τόπον καλούμενον καὶ αὐτὸν ἔλεον κινεῖν δυνάμενον· φησί γάρ·

σμικρὸς ἐν σμικρῷ κύτει,

καὶ ἐπιτίμησιν ἑαυτῇ συνέπλεξεν· "ὡς περιέναι μήποτε ὤφελον", φησὶν, "ἀλλὰ πρότερον τεθνήκειν"· ἔπειθ' ἃ ἔδει τεθνεῶτος αὐτοῦ γεγονέναι, ὡς οὐ γεγονότα διέξεισιν· "οὐ γὰρ ἔθαψά σε", φησὶν, "οὐδὲ περιέστειλα".

39. Κινεῖ δ' ἔλεον καὶ ὁ πρὸς πατρίδα λόγος γινόμενος περὶ τοῦ τεθνεῶτος, λόγου χάριν· ἔστω τις Ἀθηναῖος ἀνῃρημένος· ἐὰν ἀποστρέφῃ τις τὸν λόγον εἰς τὰς Ἀθήνας, ἔλεον κινήσει περὶ τοῦ τεθνεῶ-
322 τος, οἷον· "ἡ | μὲν ὠτακουστεῖ καὶ καραδοκεῖ περὶ αὐτοῦ τὸ μέλλον

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1 δέον] δὲ *B* | καὶ om. *A* | αὐτῷ *B* ‖ 6 παῖδα] υἱόν*B* ‖ 7 ⟨τι⟩ κτῆμα ⟨τῶν⟩ *B* ‖ 9 κυνηγῶν *A*, corr. Ba. κτημάτων *B* ‖ 10 δύνανται *B* | ἐν ⟨τῇ⟩ *B* ‖ 11 κινεῖν αὐτοῦ *B* | lac. posuit Ba. | δι' ἀμβολάς Ba. διαβολάς *AB* | ἡ om. *B* ‖ 12 ἐν[1]] ἐπὶ coni. Ha. | ᾗ ⟨ἦν⟩ *B* | κεκομμένα *B* ‖ 13 τὰ om. *B* | ὀστέα *B* | διαλέλεκται *B* ‖ 14 ἐμοῦ *B*, corr. Ba. ἐμῆς *A* ‖ 16 ἔπειτα] ἐπὶ *A* | περὶ ἐλπίδος *B* ‖ 18 σμικρὸς – κύτει Cobet ex Soph. κοίτης μικρὸς ἐν μικρῷ *A* ὁ μικρὸς μὲν ἐν σμικρῷ μὴ εἰ (μενεῖ Ald.) *B* ‖ 19 αὐτῷ *AB*, corr. Ba. | ὡς περιέναι Ba. ὥσπερ *AB* | ὤφελε *B*, corr. Ba. ὄφελε *A* ‖ 20 τέθνηκεν *B* τεθνηκέναι W. | ἃ ἔδει W. δὲ δεῖ *A* ἔδει *B* δὲ τὰ δέοντα coni. Sp. ‖ 21 γενόμενα Ba. ‖ 25 περὶ] παρὰ *B* ‖ 26 ἡ Fi. εἰ *AB* | καὶ om. *B* | περὶ αὐτοῦ, καραδοκεῖ *B*

father were to undertake a suit for a son who had been killed, he will arouse pity by mentioning what ought to have happened and showing that it has not; for example, "He who ought to be with me and be my caretaker in old age and tend to my ills and who probably would lay me out when dead and see that I was accorded the customary rites, he is gone and has died; but I laid him out and observed the customary rites for him, when he was young and I was the age you see, I the father, he the son."

38. A speech addressed to the possessions of a dead man also arouses pity, as when Ctesias described the mother of Cyrus speaking about his horses and dogs and weapons, and from this he aroused compassion.[304] A father can arouse pity for his dead son from a picture, *** "by the mantel cast over his shoulder."[305] And Electra in the *Orestes*, looking at the vase in which it is pretended that his bones have been brought, addresses it and arouses pity. She says,

> Ah, memorial of the dearest to me of men,
> What remains of the life of Orestes.[306]

Then she adds to these words the topic called "contrary to hope" which, in itself, can move pity; for she says

> A little dust . . . in a little urn,[307]

and she weaves in censure of herself: "I ought never to be surviving," she says, "but ought to have died earlier." Then she describes what ought to have been done for him when he died as not having been done: "For I did not bury you," she says, "Nor did I lay you out."[308]

39. A speech addressed to the Fatherland about the dead man also arouses pity; for instance: Let there be a certain Athenian who has died. If one apostrophizes Athens, he will arouse pity for the dead; for example, "She overhears (us) and waits to hear about him in the future and thinks how he

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[304] Ctesias, frag. 25; *Fragmente der griechischen Historiker*, ed. Jacoby, #688.
[305] A quotation from an unknown poet; something is lost before the phrase, probably identifying a passage in which a picture was described.
[306] Sophocles, *Electra* 1126–27.
[307] *Ibid.* 1142.
[308] The thought is actually found in the preceding lines, 1131–41.

καὶ ὅσον οὐδέπω ἥξειν οἴεται, καὶ ἕξειν δημηγόρον ⟨ἢ⟩ στρατηγόν, ὁ δὲ πόρρω τῆς ἑαυτοῦ τέθνηκε". καὶ οἱ πρὸς τὰ παιδία τῶν τεθνεώτων ⟨ἢ⟩ γονέας ἢ γυναῖκας λόγοι γινόμενοι κινοῦσιν ἔλεον, ἐὰν τῶν μέν τις τὴν ὀρφανίαν ὀδύρηται καὶ τὰς ταύτῃ παρακολουθούσας συμφορὰς καὶ τὸ ἀναίσθητον αὐτῶν ἐν οἷς δυστυχοῦσιν, τῶν γονέων δὲ τό τε γῆρας καὶ τὴν ἐρημίαν καὶ τὰ ταύτῃ παρακολουθοῦντα, πάλιν δὲ γυναικῶν χηρείαν, καὶ ὅσα ταύτῃ παρακολουθεῖν πέφυκε. **40.** καὶ ἀπ' αὐτοῦ δέ τις τοῦ τεθνεῶτος ἔλεον κινεῖν δύναται, ἐὰν μὲν ᾖ διὰ φαρμάκων ἀνῃρημένος, καὶ τὰ παρακολουθήσαντα τῇ φαρμακείᾳ διεξιὼν τὰς ὀδύνας, ταλαιπωρίας, μῆκος τῆς νόσου, τὸ σῶμα λυμανθὲν ὑπὸ τῶν φαρμάκων· ἐὰν δὲ βιαίως, τὰ ἑπόντα τραύματα, τὸν τρόπον τῆς ἀναιρέσεως. **41.** τοῦτον τὸν τόπον κεκίνηκεν Εὐριπίδης οἶκτον ἐπὶ τῷ Πενθεῖ κινῆσαι βουλόμενος· ἕκαστον γὰρ αὐτοῦ τῶν μελῶν ἡ μήτηρ ἐν ταῖς χερσὶ κρατοῦσα καθ' ἕκαστον αὐτῶν οἰκτίζεται. ἀπὸ τούτου τοῦ τόπου καὶ Ξενοφῶν τὴν Πάνθειαν ἄριστα συνεπέδειξεν οἶκτόν τινα καὶ ἔλεον περιτιθεὶς τῷ πάθει. πρῶτον μὲν γὰρ ἠθοποίησε τὸ σχῆμα τῆς γυναικός, ἱσταμένης ἐπὶ πένθει ⟨καὶ⟩
323 δακρυούσης, ἔπειτα τὸν | Ἀβραδάτην παρακείμενον διηγήσατο, καὶ πῶς δεξαμένη τὴν χεῖρα ἀποκοπεῖσαν κατεφίλησε. ἥρμοσε δὲ καὶ Ἑκάβη τὸν Ἀστυάνακτα τοῦτον πενθοῦσα τὸν τρόπον, κεφαλῆς τε αὐτοῦ ψαύουσα καὶ χειρῶν καὶ τοῦ λοιποῦ σώματος.

42. Κινεῖ δ' ἔλεον καὶ ἡ ἀνάμνησις ὧν εἶπεν ἢ ἐποίησεν, οἷον· ἀνῃρήσθω πένης καὶ κρινέσθω ἐπ' αὐτῷ πλούσιος· ἔλεον οὖν αὐτοῦ κινήσομεν ἀναμιμνῄσκοντες τοὺς δικαστὰς δημηγοριῶν αὐτοῦ, πρεσβειῶν, τῶν ἄλλων αὐτοῦ πολιτευμάτων· ὡς ἐπὶ τοῦ Μιλτιάδου κρινομένου μετὰ Πάρον ἢ καὶ Θεμιστοκλέους προδοσίας κρινομένου,

1 ἕξειν] ἕξει *A* | add. Ba. || 3 add. Ba. | γόνεων *AB*, corr. Fi. | ἢ γυναῖκας om. *A* | ἐὰν Fi. ἵνα *AB* || 5 ⟨αὐτὸν⟩ αὐτῶν *B* | δὲ om. *A* || 6 τε om. *B* || 6.7 γυναικὸς δὲ πάλιν *B* γυναικὸς πάλιν δὲ Sp. || 7 γυναικὸς *AB*, corr. Ba. || 8 τις om. *B* || 10 διεξιὼν τὰς] διεξιόντες *A* | ⟨τὴν⟩ ταλαιπωρίαν *B* | ⟨τὸ⟩ μῆκος *B* | ⟨τὸ⟩ τῆς *B* || 10.11 λυμανθὲν ⟨τοῦ ἀνθρώπου⟩ *B* || 11 τὰ ἐπιόντα *A*, corr. Sp. ἐπιὼν τὰ *B* || 12 τόπον] τρόπον *B* || 15 τοῦ τόπου τούτου *B* | ἄριστα] οἴκτραν *B* || 16 ἐπέδειξεν *B* | περιθεὶς *B* || 17 ἱσταμένης – πένθει] καθημένης καὶ ἐπὶ πένθει Ba. coll. X. | add. Ba. || 18 ἔπειτα ⟨δὲ⟩ Ba. | παρακείμενον ⟨αὐτῇ⟩ *B* || 19 ἥρμοσε δὲ om. *B* | 20 πενθεῖ *B* || 22 ὧν] τί δὲ *B* || 23 πλούσιος ἐπ' αὐτῷ *B* | αὐτῷ *A* || 25 αὐτοῦ om. *B* | ⟨καὶ⟩ ὡς *B* || 26 ἢ om. *B*

will never again come, and she will never have him as leader of her people or a general, but he has died far from her." Also speeches addressed to the children of the dead or parents or wives arouse pity, if, in the former case, one laments their orphaned state and the misfortunes that will follow that and their lack of understanding of their misfortune, and in the case of parents their old age and desolation and what results from this, and again the widowed state of the women, and what naturally follows from this. **40.** One can also arouse pity from the dead man himself, if (for example) he has been taken off by poison, with a description of the sufferings resulting from poisoning, the hardships, the length of the disease, the body wasted by the poisons. But if he died violently, (one can describe) the wounds he suffered, the manner of his killing. **41.** Euripides uses this topic when wishing to arouse compassion for Pentheus; for his mother, while gathering each of his limbs in her hands, laments over each of them.[309] With this topic Xenophon, too, beautifully described Panthcia, surrounding her emotion with compassion and pity.[310] First he characterized the appearance of the woman as she stood in her grief and shed tears, then he described Abradates as he lay before her, and how she took his severed hand and kissed it. Hecuba gathered the body of Astyanax in this way too when grieving, touching his head and hands and the rest of his body.[311]

42. Recollection of what he said or did also moves pity; for example, suppose a poor man has been killed and a rich man is being tried for his murder. We shall arouse pity for him by reminding the judges of his public speeches, his embassies, and his other political activities. As in the case of Miltiades when brought to trial after Paros or Themistocles tried for treason,

[309] *Bacchae* 1129ff. and 1283ff.
[310] *Cyropaideia* 7.3.8.
[311] Cf. Euripides, *Trojan Women* 790ff.

ὁποῖος ἦν τὸν χρησμὸν ἐξηγούμενος τῶν ἄλλων ἕκαστον ἔστιν ἐπιέναι. κατὰ τοῦτον τὸν τρόπον καὶ Σοφοκλῆς τοιούτους τινὰς λόγους τῇ Ἠλέκτρᾳ περιτέθεικε· θρηνοῦσα γὰρ τὸν ἀδελφόν Ὀρέστην τεθνεῶτα, ὡς ᾤετο, ἐπέξεισι τὰς ἀγγελίας ἃς ἔπεμπε πρὸς αὐτὴν ὡς ἥξων αὐτὸς οὐκ εἰς μακρὰν τιμωρησόμενος τὸν Αἴγισθον.

43. Κινεῖ δ' ἔλεον καὶ ἡ τῶν ἐχθρῶν ἐπ' αὐτοῖς ἐσομένη χαρὰ δηλουμένη καὶ νὴ Δία τις ἡδονή. ἡ γοῦν Ἠλέκτρα καὶ ἀπὸ τῆς περὶ τὸν Αἴγισθον καὶ Κλυταιμνήστραν χαρᾶς οὔσης κινεῖ τὸν ἔλεον· "γελῶσι δέ", φησίν, "οἱ ἐχθροὶ καὶ μαίνεται ἡ μήτηρ ὑπὸ τῆς ἡδονῆς". καὶ ὁ Αἰσχίνης τοῦτόν που κεκίνηκε τὸν τόπον· | "οἶκτρον γάρ ἐστιν
324 ἐχθρὸν ἰδεῖν ἐπ' αὐτῷ ἡδόμενον καὶ χαίροντα τῇ καταδίκῃ τινός;".

44. Κινήσομεν δ' ἔλεον κἂν ὑποδεικνύωμεν πάθος τὸ συμβεβηκὸς περί τινας τῶν οἰκείων τοῦ κρινομένου ἢ τοῦ τεθνεῶτος, ⟨ὡς⟩ Ὑπερείδης ἐν τῷ κατὰ Ἀρχεστράτου· ἐπέξεισι γὰρ τὰ συμβεβηκότα τῇ τοῦ Ὀνείδου μητρί, καὶ Λυσίας ἐν τῷ ὑπὲρ Ἀχιλλείδου τὸ πάθος τὸ τῇ ἀδελφῇ συμβὰν αὐτοῦ· λέγει γάρ, ὡς "ἀκρατὴς λύπης γενηθεῖσα αὑτὴν ἀπέκτεινε". κεκίνηκε τοῦτον τὸν τόπον καὶ ὁ Αἰσχίνης ἐν τῇ ἀπολογίᾳ ἀπὸ τοῦ πατρὸς καὶ τῆς μητρὸς αὑτοῦ, ἐλεεινοὺς αὐτοὺς εἰπὼν αὐτῷ προφαίνεσθαι. ὑπάρχει δ' ἐν τοῖς ἀληθινοῖς ἀγῶσι καὶ περὶ μητρός τι λέγειν τοῦ κρινομένου καὶ περὶ πατρὸς καὶ τῶν ἄλλων τῶν παρόντων ὑπογράφοντα ἐναργῶς τὰ περὶ αὐτοὺς ὄντα πάθη λόγῳ, πῶς τέ εἰσιν ἱστάμενοι καὶ πῶς δεδοίκασι καὶ πῶς ὁ φόβος αὐτοὺς ἐξίστησι.

45. Κινεῖ δ' ἔλεον καὶ τὰ ὑπὸ τῶν ἀτυχούντων ἢ λεγόμενα ἢ πραττόμενα δηλούμενα, ὥς πού τις τῶν παλαιῶν τῶν Θηβῶν ἁλουσῶν ἔλεον κεκίνηκε τὰ ὑπὸ τῶν ἀγομένων εἰς τὴν αἰχμαλωσίαν Θηβαίων

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1 εἰσηγούμενος *B* | ἐστι *A*, corr. Ha. αὐτῶν *B* | ἐπιέναι] εἰπεῖν *B* ἐπεξιέναι Ba. || 2 ⟨ὁ⟩ σοφοκλῆς *B* | τινα *A* || 4 διέξεισι *B* | ἀπέπεμπε *B* || 5 ⟨καὶ⟩ οὐκ *B* || 6 ⟨γε⟩ ἐπ' αὐτοῖς ⟨γε⟩ *A* || 7 περὶ Ba. παρὰ *AB* || 10 Αἰσχίνης – τόπον] δημοσθένης κεκίνηκε τοῦτον τὸν ἔλεον *A* | οἶκτρον Ba. ex Aeschin. ὁποῖον *AB* | γάρ ⟨φησιν⟩ *B* || 12 ⟨τὸ⟩ πάθος *B* || 13 τινος *A* | add. Ba. || 14 ἐπέξεισε Ha. | ⟨λέγει⟩ γάρ ⟨που⟩ *B* || 15 Οἰνείδου Ba. || 16 τῆς ἀδελφῆς *B* | ὡς] πως *A* || 17 αὐτὴν *B* | τόπον Ba. λόγον *AB* || 18 αὐτοῦ *B*, corr. Ha. om. *A* || 19 ⟨ἢ⟩ αὐτῷ *B* | προσφαίνεσθαι *A* || 20 περὶ[1.2]] παρὰ *B* | ἄλλων ⟨ἁπάντων⟩ *B* || 21 προσόντων *B* | ὑπογράφοντας *AB*, corr. Ba. | ⟨τῷ⟩ λόγῳ *B* || 24 ὑπ' ⟨αὐτῶν⟩ *A* || 25 ⟨ἢ⟩ δηλούμενα *B* || 26 εἰς] ὑπὸ *A*

it is possible to describe how useful each was when a leader of others. In this way, too, Sophocles assigned some such words to Electra; for when lamenting her dead brother Orestes, as she thought, she introduces the messages which he sent to her that he was going to come shortly to get vengeance on Aegistheus.[312]

43. Making clear the joy and, by Zeus, even some malicious pleasure, of their enemies at what has happened to them also arouses pity. Certainly Electra arouses pity from the joy of Aegistheus and Clytemnestra: "Our enemies laugh," she says, "and our mother is mad with pleasure."[313] And Aeschines, somewhere, uses this topic: "It is sad to see an enemy taking pleasure at him and rejoicing at someone's conviction."[314]

44. We shall move pity if we demonstrate the emotion felt by some of the relatives of the accused or the dead man, as Hypereides does in his speech *Against Archestratos*; he introduces what has befallen the mother of Oneidos,[315] and Lysias in his speech *For Achilleides* (describes) the emotion felt by his sister. For he says "She killed herself, overpowered with grief."[316] Aeschines also used this topic in the apology for his father and mother, saying they appeared to him in a pitiable condition.[317] It is possible in an actual trial to say something about a mother of one accused and about a father and others present by describing vividly in a speech their existing emotions, how they appear and how they are afraid and how fear overcomes them.

45. What the unfortunate say or do also arouses pity when made clear, as I think one of the old captured Thebans aroused pity by describing the actions of Thebans led captive, those seized violently from holy shrines,

[312] Sophocles, *Electra* 1153ff.
[313] *Ibid.* 1154–55.
[314] The closest to this thought in extant speeches of Aeschines seems to be 2.182.
[315] Hypereides, frag. 46, ed. Jensen.
[316] Lysias, frag. 22, ed. Thalheim.
[317] Aeschines 2.179.

325 πεπραγμένα διεξιών, τοὺς μετὰ βίας ἀγομένους ἀπὸ ἱερῶν, | ἀπὸ ἀναθημάτων, ἐγκολπιζομένους τὴν γῆν τὴν πατρῴαν ἐναργῶς ὑπὸ τὴν ὄψιν ἄγων τοῖς ἀκούουσι· καὶ ἐπ' Ὀλυνθίων ἢ Φωκέων ἤ τινων ἄλλων ἔχοι τις ἂν λέγειν. καὶ ἐκ τῆς διαθέσεως τῶν ἀτυχούντων ἔλεόν ἐστι κινεῖν, ὡς Εὐριπίδης τὴν Κλυταιμνήστραν ἔλεον εἰσάγει κινοῦσαν μετὰ τὸν τῆς Ἰφιγενείας θάνατον·

> τίν' ἐν δόμοις με καρδίαν ἕξειν δοκεῖς;
> ὅταν δόμους μὲν τούσδε προσίδω κενούς,
> κενοὺς δὲ παρθενῶνας;

καὶ τὰ ἑξῆς ἐπὶ τούτοις. καὶ πένητα ἐκ τῶν περὶ αὐτὸν γενησομένων παθῶν, εἰ μὴ δημηγορήσει διὰ τὸν πλούσιον, ἐστὶ κινῆσαι τὸν ἔλεον· "εἰ γὰρ τοῦτον δημηγοροῦντα βλέποιμι αὐτὸς τούτου τυχεῖν μὴ δυνάμενος, τίνα με ψυχὴν ἔχειν δοκεῖτε τηνικαῦτα; λέγει παράνομα, ἐγὼ δὲ σιωπήσω· καταλύει τοὺς νόμους, οὐ φθέγξομαι". ἐκ τούτων ἔλεον κινήσει καὶ τῶν ἄλλων ἐπιὼν ἕκαστον τῶν τούτοις ὁμοίων.

46. Ἔτι ἔλεον κινήσομεν τὴν ἐρημίαν ὀδυρόμενοι τὴν ἑαυτῶν, οἷον· ἐπὶ γῆς ἀλλοτρίας τις κρίνεται, ἀπὸ τῆς ἐρημίας οὖν οἶκτον κινήσει· "ὁ μὲν ἀγών ἐστί μοι τηλικοῦτος, κινδυνεύω περὶ ψυχῆς καὶ τοῦ σώματος καὶ μόνος ἐν ὑμῖν ἀγωνίζομαι, οὐ συγγενεῖς ἔχων, οὐχ ἡλικιώτας, ἐπ' ἀλλοτρίας ἀγνὼς καὶ ἐν ἀγνῶσι". καὶ ἐπὶ τῆς αὑτοῦ
326 δέ τις ἀγωνιζόμενος ὀδύροιτ' ἂν τὴν | ἐρημίαν τὴν οὖσαν αὐτῷ πένης ὢν ἢ κατεστασιασμένος οἰκείους οὐκ ἔχων ἢ ἔχων μέν, ὑπ' αὐτῶν δὲ προδεδομένος.

47. Κινεῖ δ' ἔλεον καὶ ἐν τοῖς μάλιστα ὁ τῆς ἐντολῆς καλούμενος τόπος. πολλαχῶς δ' αὐτῇ χρησόμεθα, οἷον· τίνα δ' ἐνετείλατο ὁ τελευτῶν καὶ ὑπονοῶν ἐκ φαρμάκων ἀνῃρῆσθαι, ἢ τίνα τρωθεὶς μέν τις, μέλλων δὲ τελευτᾶν, ἢ καὶ νὴ Δία τίνα ἀριστεὺς ἐνετείλατο τῇ γυναικί, οὐκ ἀξιῶν αὐτὴν γήμασθαι ἐντὸς πενταετίας, ἢ ἀποθνῄσκων

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6 κινοῦσαν ⟨αὐτὴν⟩ *A* ‖ 8 δόμους – προσίδω] θρόνους τῆσδ' εἰσίδω πάντας Eur. ‖ 10 πένητα ⟨δὲ⟩ *B* ‖ 11 μὴ om. *A* ‖ 12 αὐτὸς] αὐτοῦ *A*[a] ‖ 13 ἕξειν *B* | λέξει *B* ‖ 13.14 [ἐγὼ δὲ] σιωπῶ Sp. ‖ 14 λύσει coni. Ba. | ⟨ἐγὼ δ'⟩ οὐ *B* ‖ 16 ὀδυρομένου *B* ‖ 17 γῆς Ba. τῆς *AB* delendum coni. Sp. ‖ 18 κινδυνεύω ⟨δὲ⟩ Ba. ‖ 19 οὐχὶ *B* ‖ 20 ἀλλοτρίᾳ *A*, corr. Ba. -τρίων *B* | τῆς] τοῦ *A* ‖ 21 αὐτοῦ *AB*, corr. Ba. ‖ 22 ἢ[1] om. *B* ‖ 24 κἂν *B* | τοῖς] τούτοις *B* | μάλιστα ⟨καὶ⟩ *B* ‖ 25 αὐτῷ *B* | δ'[2]] δὴ Ba. ‖ 26 τίνα ⟨πάλιν⟩ *B* ‖ 28 ⟨τῆς⟩ πενταετίας *B*

from votive monuments, scooping up their native earth, bringing this clearly under the vision of the hearers. And one could say something about the Olynthians and Phocians or any others.[318] And it is possible to arouse pity from the condition of the unfortunate, as Euripides describes the pitiful Clytemnestra after the death of Iphigeneia:

> What heart do you think I shall have at home
> When I see the house empty,
> And the maiden's empty room?[319]

and what follows this. And a poor man can arouse pity from the emotions that are going to be felt for him, if (for example) he will not speak in the assembly because of the rich man: "For if I should see him speaking when I am not able to do so, what state of mind do you think I shall have then? He speaks things contrary to the law, but I shall be silent; he undermines the laws, I shall not open my mouth." You will arouse pity from these and other things if you enter on each of those like them.

46. Furthermore, we shall arouse pity by lamenting our own desolate situation; for example, someone is being tried in a foreign land; he will then arouse compassion from his lonely condition: "The trial is such a great thing for me; I am in danger of my mind and body and I am being tried alone among you, having no relatives nor comrades, unknown in a foreign country and among those who do not know me." And someone on trial in his own country would lament his loneliness because he is poor or overpowered when he has no relatives, or having some, has been betrayed by them.

47. Among the most effective ways of arousing pity is what is called the topic of the "(final) command" (*entolē*). We shall use it in many situations; for example, what did the man command who was dying and knowing he was taken off by poison? Or what did someone wounded (command) when he was about to die? Or, by Zeus, what command did a hero give his wife, not wanting her to be married within five years, or the dying father, handing

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[318] Apsines has in mind Alexander's destruction of Thebes and Philip's of Olynthus and Phocis.

[319] *Iphigeneia at Aulis* 1143–45, with minor change from the received text.

πατὴρ ἐγχειρίζων παῖδας ἐπιτρόποις καὶ παρακαταθήκην διδούς, ἢ μέλλων ἀποδημεῖν, ἢ ἀγόμενος παρὰ τύραννον; ἔστι δ' ἐντελλομένους ποιεῖν καὶ τοὺς κρινομένους· "ἐπισκήπτω δ' ὑμῖν, εἰ καταψηφιεῖσθέ μου ὡς προδεδωκότος μετὰ τρεῖς ἀριστείας τὴν πόλιν, ἀνελεῖν μου τὰς εἰκόνας, ἐξαλεῖψαι τὸ ὄνομα, καθελεῖν τὰ τρόπαια, τὰ ὑπομνήματα τῶν ἀριστειῶν". κέχρηται τῷ τῆς ἐντολῆς τόπῳ καὶ ὁ Σωκράτης· μέλλων γὰρ πιεῖσθαι τὸ κώνειον ἐντέλλεται τοῖς ἐπιτηδείοις αὐτοῦ μήτε κλαῦσαι μήτε ὀδύρασθαι, καὶ ἃ ποιοῦντες περὶ τοὺς παῖδας αὐτοῦ καὶ τὴν γυναῖκα χαρίζοιντ' ἂν αὐτῷ. δεῖ δὲ τὰς ἐντολὰς εὔγνωμόν τι ἔχειν καὶ εὐσεβές, ὁποία ἐστὶν ἡ τοῦ Σωκράτους καὶ τῶν δέκα στρατηγῶν ἀπολογία.

ΠΕΡΙ ΠΑΘΟΥΣ

327 **48.** Τὸ πάθος πολὺ μὲν ἐν ποιήσει τῇ τραγικῇ, ἥξει | δέ ποτε καὶ εἰς τὸν πολιτικὸν ὅταν πόλει ἢ προσώπῳ τινὶ τῶν παρ' ἀξίαν συμβάντων κακῶν μνημονεύσῃς, οἷα τὰ περὶ Φωκέας. τὴν δὲ λέξιν δεῖ εἶναι ἄπλαστον καὶ ἀκαλλώπιστον (τὸ γὰρ καλλωπίζειν οὐ τοῦ θρηνοῦντος), τὴν δὲ σύνθεσιν μᾶλλον ἄνετον, τὰ δὲ σχήματα γοργότερα καὶ ἀκμαιότερα. καὶ ταῦτα μὲν ἀμυδρότερα, ἴδωμεν δὲ καὶ καθ' ἕκαστα.

49. Πάθος ποιοῦσιν αἱ ἀντεξετάσεις μάλιστα πρὸς τὰ πρότερα, οἷον· "πρότερον μὲν ἐν ᾧ ἦν ἡ τύχη καὶ ὅτι λαμπροτέρα, νῦν δὲ οἵοις περιπέπτωκεν", ὡς παρ' Εὐριπίδῃ·

> πρῶτον μὲν οὖν μοι τἀγάθ' ἐξᾷσαι φίλον·
> τοῖς γὰρ κακοῖσι πλείον' οἶκτον ἐμβαλῶ.

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1 παρακαταθήκας *B* || 3 ἐπισκήπτω] ἐπιστέλλω *B* || 4 ⟨τὰς⟩ τρεῖς *B* || 5 ἐξαλεῖψαί ⟨μου⟩ *B* | τοὔνομα *B* || 6 τόπῳ] τρόπῳ *B* || 7 ⟨τοῖς⟩ ἑαυτοῦ *B* αὑτοῦ Sp. || 9 χαρίζοιντο *A* || 10 τι] τε *A* | τοῦ om. *B* || 11 ἀπολογία] τινος *B* || 12 Περὶ Πάθους – fin. locum suspectum Sp., quia "sequi debeat tertia epilogi pars ἡ δείνωσις coll. 192.6 || 13 τῇ om. *B* | ἕξει *B* || 14 τὸ *A* | ⟨ἢ⟩ πόλις ἢ πρόσωπόν τι *B* || 15 μνημονεύσῃ *B* || 16 καὶ om. *A* | τοῦ om. *B* || 18 μὲν ⟨γενικώτερα θεωρήματα καὶ⟩ *B* | δῶμεν *B* || 19 πάθος] καὶ *A* || 20 ᾧ] οἵᾳ *B* | ἡ om. *B* || 21 πέπτωκεν *B* | ὥσπερ εὐριπίδης *B* || 22 τὰ ἀγαθὰ *A* | ἐξετάσαι *AB*, corr. Ba. ex Eur. || 23 τοῖς] πρὸς *B* | πλείονα *AB*, corr. Ba. | ἐμβαλλῶ *A*

his sons over to guardians and depositing money with them? Or one going into exile, or led off to a tyrant? It is possible to describe those brought to trial as making commands: "If you condemn me to dcath as having betrayed the city despite three valiant campaigns, I enjoin you to removc my likenesses, to erase my name, to take down my trophies, the remembrances of my valiant deeds." Even Socrates used the topic of command; for when he was going to drink the hemlock he commands his comrades not to weep or lament, and what it would please him for them to do for his sons and wife.[320] Commands should have some kindly and pious quality, such as that of Socrates and the apology of the ten generals.[321]

At the beginning of the chapter we were told that the epilogue has three "parts": reminder, pity, indignation. Reminder and pity have now been discussed. Instead of an expected discussion of indignation we are next given an account of pathos which is nominally a general consideration of emotion. In fact, however, the emotion discussed is primarily indignation.

On Pathos[322]

48. Pathos is frequently found in tragic poetry but sometimes comes into political oratory whenever you make mention of evils happening to a city or some person beyond what is deserved, such as the misfortunes of the Phocians.[323] The word choice (*lexis*) should be unaffected and unadorned—embellishing is not á characteristic of lamentation—and the word order should be rather relaxed, while the figures should be rather rapid and rather vigorous.[324] These observations are somewhat vague, but let us look at each in turn.

49. Contrasts (*antexetaseis*) create pathos most when they are with things in the past; for example, "(He fared well) in the past when there was good fortune and because it was rather splendid, but now he has fallen into this state." As in Euripides,

> First then it is dear to me to sing the good things;
> For on the evils I shall cast greater pain.[325]

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[320] Cf. Plato, *Phaedo* 115b and 117d.

[321] For the ten generals, see above 8.12 and 9.11; their "apology" is probably a declamation.

[322] In *Rhetoric* 3.19.3 Aristotle identified emotions aroused in the epilogue as pity, indignation, anger, hatred, envy, emulation, and strife. Greek rhetoricians were unaware of the discussion of pathos as a violent and ethos as a milder emotion found in Latin writers; cf. Cicero, *On the Orator* 2.212, Quintilian 6.2, and the classification of emotions in Anonymous Seguerianus §§222–28. On topoi of pathos, see Martin, pp. 161–62.

[323] Cf. Demosthenes 19.64.

[324] Cf. Anonymous Seguerianus §238.

[325] *Trojan Women* 472–73.

50. Πάθος ποιοῦσι καὶ αἱ παραθέσεις πρὸς ἕτερον· οἷον εἰ λέγοις ἐν ἐκείνῳ τῷ ζητήματι· οἱ Ἀθηναῖοι πρεσβεύονται ἐπὶ τῶν τριάκοντα πρὸς Λακεδαιμονίους ἀξιοῦντες ὑφ' ἑνὸς τυραννεῖσθαι· εἰ οὖν λέγοις· "οὐδὲν τοσοῦτον ἡ λοιμώδης νόσος, οὐχ ἡ Σικελία ἤνεγκε ταῖς Ἀθήναις πάθος ὅσον οἱ τριάκοντα· ἐκεῖνα μὲν γὰρ εἴς ⟨γε⟩ μοῖράν τινα τῆς δυνάμεως ἐλυμήναντο, οἱ δὲ διὰ πάντων διήκουσι".

328 | **51.** Πάθος ποιοῦσι καὶ αἱ ὑπερβολαὶ ἐν τῷ ἀορίστῳ· "τούτων δὲ δεινότερα οὐ γέγονεν οὐδὲ μείζω πράγματα ἐφ' ἡμῶν ἐν τοῖς Ἕλλησιν, οἶμαι δ' οὐδ' ἐν τῷ πρόσθεν χρόνῳ".

52. Πάθος ποιοῦσι καὶ αἱ ποιότητες τῶν προσώπων ἐξεταζόμεναι· "τίς ὢν δεινὰ πέπονθεν;" οἷον ὅτι καλὸς κἀγαθὸς ἢ ὅτι εὐεργέτης· ὡς περὶ τῶν Φωκέων ὁ Δημοσθένης "τίνες ὄντες ταῦτα πεπόνθασι; καὶ μὴν ὅτι τὴν ἐναντίαν ποτὲ Θηβαίοις ⟨ψῆφον⟩ ὑπὲρ ἡμῶν ἔθεντο". πάθος γίνεται καὶ ἀπὸ τοῦ ἐναντίου· οὐ μόνον τίς ὢν πέπονθεν, ἀλλὰ καὶ ὑπὸ τίνος, ὡς ἐν τῷ περὶ Στράτωνος λόγῳ Δημοσθένης· "καὶ ταῦτα πέπονθεν ὑπὸ Μειδίου καὶ τοῦ Μειδίου πλούτου".

53. Ἐν τοῖς πάθεσι καὶ αἱ διαπορήσεις χρήσιμοι εὐθὺς ἐν ἀρχῇ· "τί πρῶτον ἢ τί τελευταῖον εἴπω;" ἢ οὕτως· "ἀπορῶ τί χρὴ δρᾶσαι· πότερον μεθεῖναι ἀμνημόνευτα; ἀλλ' ἀλυσιτελές γε τοῦτο· ἀλλὰ διεξελθεῖν δεῖ; ἀλλ' οὐ ῥᾴδιον ἀδακρυτὶ τοῦτο δρᾶν".

54. Πάθος ποιοῦσιν καὶ αἱ δεινώσεις· "θέαμα δεινόν". πάθος ποιοῦσι καὶ οἱ σχετλιασμοί, φεῦ καὶ οἴμοι· πάθος ποιεῖ καὶ τὰ ἀνακλητικά· "θέαμα δεινόν, ὦ γῆ καὶ θεοί". πάθος ποιοῦσι καὶ οἱ διπλασιασμοί· "Θῆβαι δὲ Θῆβαι".

55. Ἐν τοῖς πάθεσι κατὰ ἀπόστασιν μᾶλλον δεῖ εὖ λέγειν· "θέαμα δεινόν, ὦ γῆ". ἐν τοῖς πάθεσιν οὐ | πολὺν δεῖ εἶναι τὸν κόσμον, *329* οὐδ' ἐπεμβάλλεσθαι τὰς ἐννοίας, ἀλλὰ κομματικὰ τὰ πλείω. ἐὰν μὲν

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1 ἕτερα *B* ‖ 2 οἱ om. *A* | πρεσβευόμενοι Ba. ‖ 3 ⟨καὶ⟩ ἀξιοῦντες Ba. ‖ 4 ἡ[1]] ἣ *A* ‖ 5 ὅσον] οἷον *A* | γὰρ] γε *B* | add. Ba. | ⟨γε μοί⟩ τινα *A* ‖ 6 ἐλυμήνατο *B* ‖ 7 αἱ om. *B* | δὲ om. *B* ‖ 8 ἐφ' ἡμῶν om. *A* ‖ 11 οἷον om. *B* | ἢ om. *B* ‖ 12 τῶν om. *B* ‖ 13 τὴν – Θηβαίοις] θηβαίοις ποτὲ ⟨τὴν πόλιν τὴν⟩ ἐναντίαν ⟨ψῆφον⟩ *B* et (τὴν πόλιν deleto) Ba. | addidi ‖ 15 τίνων *B* ‖ 18 τί τελευταῖον] δεύτερον *B* ‖ 19 πότερα *B* | τοῦτο γε *B* ‖ 20 χρή *B* ‖ 21 πάθος ποιοῦσιν om. *B* | καὶ . . . δεινόν post 24 θῆβαι[2] *B* ‖ 21 πάθος – 22 οἴμοι om. *B* ‖ 22 πάθος – 23 θεοί post 21 δεινόν *B* ‖ 25 πάθεσι – 26 τοῖς (ὁμ.) om. *B* ‖ 26 εἶναι δεῖ *B*

50. Comparison (*parathesis*) to something else also create pathos; for example, if you were to speak on the following question: The Athenians under the Thirty send an embassy to the Lacedaimonians asking to be put under the rule of one man.[326] (You would create pathos) if then you were to say, "Not the plague, not Sicily brought such suffering on the Athenians as have the Thirty; for those harmed some part of their might, but these run rampant through all."

51. Unlimited hyperboles also create pathos: "Nothing worse than this happened nor brought greater troubles on us among the Greeks, and I think not even in past time."[327]

52. Examination of the qualities of persons also create pathos: "Who was he that suffered these dreadful things?" For example, that he was a gentleman or that he was a benefactor. As Demosthenes says about the Phocians: "Who were they that suffered these dreadful things? Surely they were the ones who once cast their vote for you against the Thebans."[328] Pathos comes about also from the opponent; not only who he was who suffered, but at whose instigation, as in Demosthenes' remarks on Straton: "And he suffered these things because of Meidias and Meidias' wealth."[329]

53. In arousing the emotions, diaporesis[330] is useful right at the beginning: "What should I say first or what last?" Or as follows, "I am at a loss what it is necessary to do. Whether to leave things unmentioned? But that accomplishes nothing. But is it necessary to describe them? It is not very easy to do this without tears."

54. Cries of indignation (*deinōseis*) also create pathos: "A dreadful sight!"[331] And emotional cries such as *pheu* and *oimoi* create pathos. And exclamations (*anaklētika*) create pathos: "A dreadful city, O Earth and Gods!" Doublings (*diplasmmoi*) also create pathos: "Thebes, Thebes!"[332]

55. In emotional expressions, speaking well rather necessitates the use of detached phrases (*apostasis*):[333] "A dreadful sight, O Earth." In emotional expressions there is not much need of careful arrangement, nor of piling thought on thought, but the better part should be spoken in commata.[334] If

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[326] Cf. above 2.4 and 10.21.
[327] Demosthenes 19.64.
[328] Demosthenes 19.65.
[329] Demosthenes 21.96.
[330] Expression of being at a loss; cf. 3.27.
[331] Demosthenes 19.65.
[332] Aeschines 3.133.
[333] Cf. above, 3.28.
[334] I.e., in short phrases.

βουληθῇς συνέχειαν ποιῆσαι ἐν τῷ πάθει, κατὰ τὸ ἀσύνδετον εἰσάξεις· "οἰκίας κατεσκαμμένας, τείχη περιῃρημένα"· ἐὰν δὲ βουληθῇς ἔτι μᾶλλον αὐξῆσαι, τοῖς διαστατικοῖς σχήμασι χρήσῃ· "οὐ τοίνυν τοῦτο ἀπέχρησε μόνον, ἀλλ' ἐκεῖνο τούτου οἰκτρότερον συνέβη".

56. Πάθος δὲ κινήσομεν οὐ μόνον ἐφ' οἷς προπεπόνθαμεν, ἀλλὰ καὶ ἐφ' οἷς δέος ἐστὶ μὴ πάθωμεν, ὡς ἐν τῇ Πλαταιέων δημηγορίᾳ· τὰ γὰρ συμβησόμενα ἐν πάθει εἰσάγει· "μηδὲ τὴν Πλαταΐδα Θηβαΐδα ποιήσητε, μηδ' ἱερὰ καὶ τάφους προπατόρων ἀτιμωρήτους" καὶ ὅσα ἄλλα παθαινόμενος λέγει.

57. Ἐν τοῖς πάθεσι καὶ αἱ πλάσεις ἐνίοτε, οἷα εἰκὸς εἰρηκέναι τὸν ἐχθρὸν ἐπεμβαίνοντα, οἵας φωνὰς ἀφεῖναι τὸν πάσχοντα.

58. Τὰ πάθη ὑποπτά ἐστι τοῖς ἀκούουσι· δοκεῖ γάρ τις οὐ θαρρῶν τοῖς λογισμοῖς ἐξ ἐπιβουλῆς ἐπὶ τὸ ἐλεεινὸν καταφεύγειν· διὸ δεῖ ἐμφαίνειν, ὅτι καὶ τοῖς λογισμοῖς τεθαρρήκαμεν, κατὰ πάθος δ' ἀναγκαῖόν ἐστι λεχθῆναι. δεῖ δὲ τὸ πάθος ἐν τῷ πολιτικῷ μέτρον ἔχειν, ἵνα μὴ εἰς τραγῳδίαν ἐμπέσῃ, πλὴν εἰ μὴ ἡ ὑπόθεσις τραγικὴ εἴη.

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2 οἰκίαι κατεσκαμμέναι *A* ‖ 3 διαστατικοῖς *B* et Fi. δικαστικαῖς *A* κλιμαστικοῖς Geel ‖ 5 ἐφ'] ἐν *B* ‖ 8 προγόνων *B* | ἀτιμωρήτους om. *B* ‖ 10 αἱ del. Ba. ‖ 11 τὸν[1] om. *B* ‖ 12 ⟨ἐπειδὴ⟩ τὰ *B* ⟨ἐπεὶ δὲ⟩ Fi. ‖ 14 ἐπεμφαίνειν *B* | τεθάρρηκεν *B* | κατὰ Ba. καὶ τὸ *AB* ‖ 16 ἐμπέσοι *B* ἐκπέσῃ Ba. | ἡ om. *B*

you want to create a continuity in the emotional expression, you will proceed by asyndeton: "Houses destroyed, walls cast down."[335] But if you want to amplify something more, you will use figures of separation: "Well then, this alone was not enough, but that happened which was worse than this."[336]

56. We shall arouse pathos not only by what we have suffered earlier but also by what there is fear that we may suffer, as in the speech of the Plataeans; for (the speaker) introduces what is going to happen in his pathos: "Do not make the territory of Plataea become part of the Thebaid, nor our holy places and tombs of our ancestors dishonored," and all the rest that he says when overcome by emotion.[337]

57. Among emotional expressions are also, sometimes, imaginary speeches (*plaseis*): what the enemy is likely to have said when advancing, what utterances a victim is likely to make.

58. Emotional expressions are suspect to hearers; for someone who does not trust his logical arguments seems to take refuge in something piteous by deceit. As a result, there is need to make it clear that we have confidence in our reasoning but that it is necessary to speak emotionally. In political discourse emotion should be moderate, in order that it not fall into tragedy, unless the subject is tragic.

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[335] Demosthenes 19.65.
[336] Cf., e.g., Demosthenes 24.47.
[337] Adapted from Thucydides 3.58.

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amphisbētēsis (disputed question): Seg. 195, 252; Aps. 1.83
anadiplōsis (repetition of a word): Seg. 72
anadromē (resumption): Seg. 140
anakephalaiōsis (recapitulation): Seg. 203, 206, 236; Aps. 10.2
anaklētikon (exclamation): Aps. 10.54
anamnēsis (reminder): Seg. 204; Aps. 10.2–14; ananeōsis (reminder): Seg. 12–13
antengklēma (counter-accusation): Seg. 195; Aps. 1.79
antexetasis (contrast): Seg. 232; Aps. 2.1, 15; 3.7, 27; 10.49
antidiēgēsis (counter-narration): Seg. 56
antiparastasis (counter-objection): Aps. 5.6–7, 9, 21; 7.3; 9.9
antistrophē (corresponding clauses): Seg. 249
antithesis (objection): Aps. ch. 4
aperiergos (simple, unworked style): Seg. 240, 253
aphēgēsis (recounting of incidents, narrative): Aps. 3.3, 27, 31
apodeixis (demonstration): Seg. 52, 143–44, 159, 160, 177, 198, 199, 213, 220; Aps. 2.1; 9.17; 10.2, 3
aposiōpēsis (abrupt pause): Aps. 3.23
apostasis, schēmata apostatika (use of detached phrases): Aps. 3.28; 10.55
aretai diēgēseōs (virtues of narration): Seg. 63–104
asapheia (obscurity): Seg. 80–88, 104, 142
asteïsmos (wit): Seg. 99
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atekhnos pistis (non-artistic proof): Seg. 145–46, 188; Aps. 4.2; 5.1; 9.21
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auxēsis (amplification): Seg. 55, 101, 106, 160, 164, defined, 230; Aps. 5.5, 17, 21; 8.2; 10.55

barytēs (theorem from heaviness of heart, indignation): Aps. 1.16, 19, 24, 29, 78, 79

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deinōsis (forcefulness, exacerbation): Seg. 138, 243, 252; Aps. 10.1, 54
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elleipsis (ellipsis): Seg. 75
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enargeia (vividness): Seg. 96, 111; Aps. 10.32
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epirrhēsis (intensification): Seg. 20
epistēmē (scientific knowledge): Seg. 31
epitheton (epithet): Seg. 71
epizeugma (use of one verb or adjective with multiple nouns): Seg. 76
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gorga skhēmata (figures of rapidity): Aps. 6.14

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SUPPLEMENTS TO MNEMOSYNE

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